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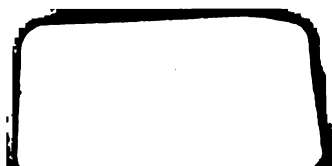
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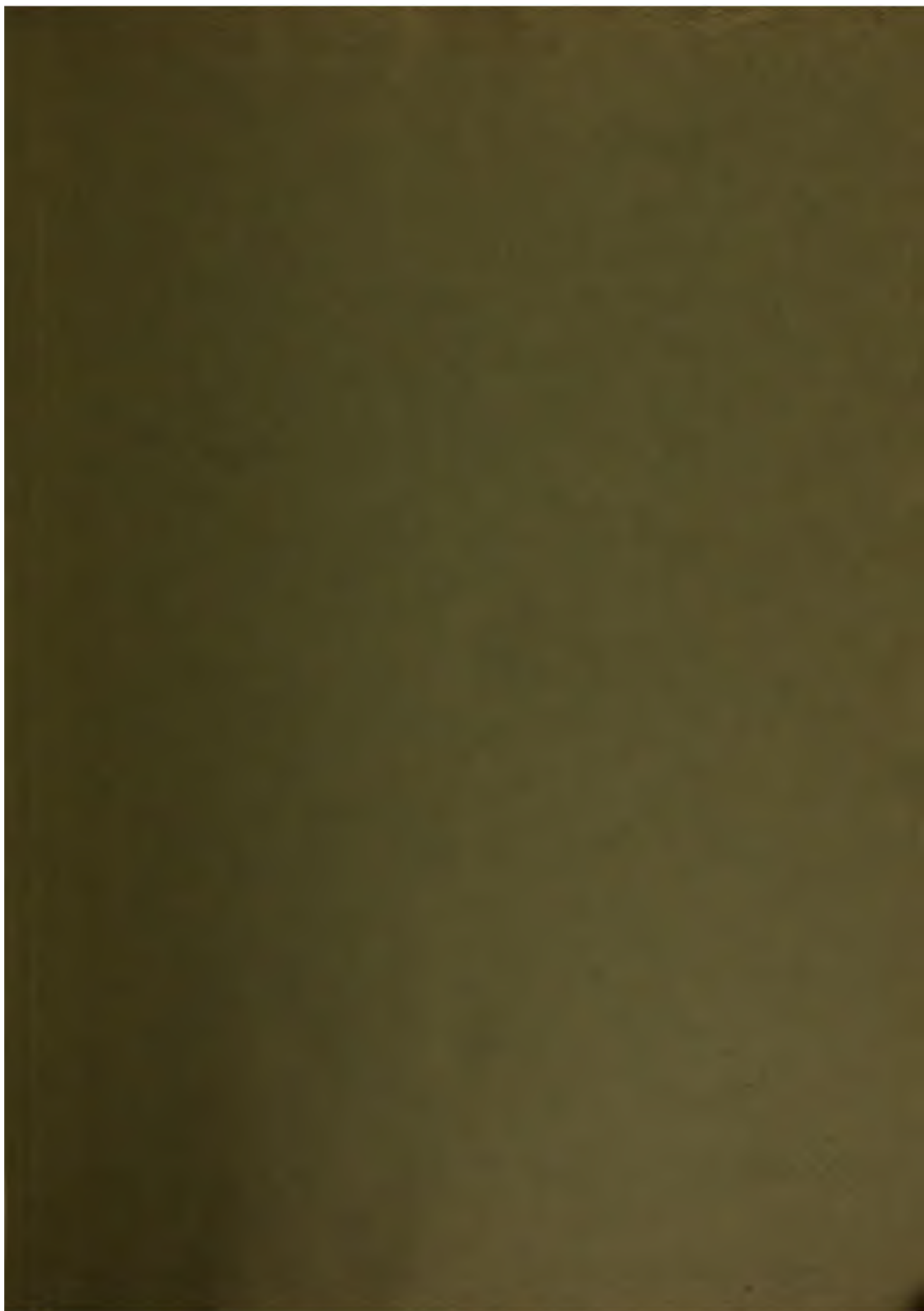
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1. Abernethy, Scot. — Hist. — Sources

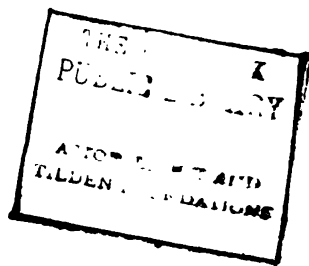
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CHARTERS AND OTHER WRITS
OF THE
ROYAL BURGH OF ABERDEEN

Only 500 copies printed.

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KING WILLIAM THE FIRST CHARTER TO THE
BURGESSES OF ABERNETHY

Charters and other Writs

ILLUSTRATING THE HISTORY

OF THE

Royal Burgh of Aberdeen

MCLXXI—MDCCCIV

EDITED, WITH TRANSLATIONS, BY

PETER JOHN ANDERSON, M.A., LL.B.

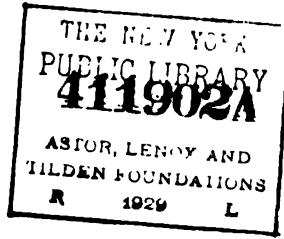
ABERDEEN

Printed by Order of the Lord Provost, Magistrates, and Town Council

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ABERDEEN,

The nineteenth ANNUAL GENERAL MEETING OF THE CLUB will be held in the ADVOCATES' HALL, 26TH DECEMBER, at 3 P.M., the EARL OF ABERDEEN in the Chair.

The Secretary will read the Report from

The Treasurer will submit an Abstract of
Expenditure.

The Chairman will move the approval of the
Sheet.

The Club will elect the Council for 1905

Members are requested to inform the Secretary of any inaccuracies

P R E F A C E.

A selection, without translations, from the charters of the burgh of Aberdeen, was printed by the Spalding Club in 1842 ; but this contribution to Scottish municipal history remained without a companion for twenty-nine years. In 1871 the Burgh Records Society issued a volume of charters and other documents relating to the city of Edinburgh, and in 1872 a similar volume dealing with the burgh of Peebles. In 1880 and in 1884, the charters of Dundee and of Stirling were printed for the corporations of these burghs ; and in 1883 the Ayr charters were edited for the Ayrshire and Galloway Archæological Association. Apart from a privately printed pamphlet containing translations of the Cupar charters, no other volumes of like character have hitherto appeared in Scotland ; but the charters of Glasgow and of Irvine are understood to be in the press.

The volume now issued is the outcome of a report prepared by the editor at the request of the Law Committee of the Town Council of Aberdeen, and embodying four recommendations :—

1st. That the manuscript Chartulary of the Church of St. Nicholas, in the possession of the Council, should be printed. This has been done at the expense of the New Spalding Club.

2nd. That the volumes of letters in the town's archives should be calendared. This undertaking has been approved by the same Club, and its execution entrusted to Mr. A. M. Munro.

3rd. That the town's charters should be printed with translations.

4th. That the Town Council Register, 1398—1884, should be fully indexed.*

The documents that it has been thought desirable to print have been arranged in three groups.

Part I. Fifty-four crown charters and letters patent—from William the Lion's recognition of the burghal status of Aberdeen, down to George III.'s concession of the fishings adjacent to the burgh lands in Kincardineshire. This series of writs is unusually complete and historically interesting, including, as it does, two grants by William, one by Alexander II., two by Alexander III., six by Robert I., two by David II., one by Robert II., one by Robert III., one by James I., four by James II., two by James III., four by James IV., two by James V., three by Mary, thirteen by James VI., four by Charles I., three by Charles II., and one each by Anne, George II., and George III.

Part II. Forty-four Acts of the Scottish Parliament and Privy Council, from the appointment of a circuit court to sit at Aberdeen on the 15th June, 1458, down to the renewal of certain excise dues on the 25th March, 1707. Appended to this is a list of the titles of the principal Acts affecting the burgh, of date subsequent to the Union.

* v. *infra*. p. 407, footnote.

Part III. Twenty-five miscellaneous writs, 1287—1696. The more important of these are the deed of homage by the community to Edward I. (1296); the obligations entered into by the burgh for the ransom of David II. (1357), and of James I. (1424); the earliest extant accounts of the burgh fermes and customs (1328), and the first tax roll of the citizens (1408); the resignations to the burgh of their properties by the Gray Friars (1559) and by the chaplains of St. Nicholas (1575); the earliest narratives of perambulations of the outer marches (1578) and of the inner marches (1696); the deeds constituting the provost and baillies, admirals depute between Dee and Don (1617), and keepers of the Tron (1617) and of the Cran (1629); the endowment of the Grammar School by Dr. Patrick Dun (1631); and the charters erecting Old Aberdeen (1489) and Torry (1495) into burghs of barony.

A fourth part has been devoted to Inventories of Records, illustrating the history of the burgh, and under the charge of the Town Clerk, the Sheriff Clerk, and the Registrar General respectively. Though Aberdeen has been fortunate in having its archives subjected to examination by antiquaries so laborious as Kennedy, so accurate as John Stuart and Joseph Robertson; though many volumes have been devoted by the two Spalding Clubs, and by the Burgh Records Society, to the printing of its annals, municipal, ecclesiastical, educational; yet the amount of material that still remains for the future burgh historian to explore, is truly astonishing. The four published volumes of Selections from the Council Register give, probably, not one-thirtieth of the matter in the manuscript minutes of the period; while the eighty-five volumes of the Burgh Register of

Sasines (1484—1800); the sixty-two volumes of the County Register (1599—1800); the eighty volumes of Sheriff Court Diet books (1503—1800), and Decree books (1597—1800); the forty-nine volumes of Deeds registered in the Burgh Court (1569—1710), and in the Sheriff Court (1606—1766); the Accounts, from the sixteenth century, of the Kirk and Bridge Works, and of the Shore Works; the Baillie Court books; the Propinquity books; the collection of letters—are as yet practically unworked.

The history of Aberdeen has been often attempted: its revision is understood to be now in progress in competent hands. The present volume is intended to serve but as a contribution of material; and hence it would be out of place in the preface to attempt to weave a continuous story from the disconnected threads of these charters and acts. Even a recapitulation of their contents is rendered unnecessary by the ample Table subjoined.

Some reference to one matter has been promised in a footnote (p. 3)—the dates of the three earliest charters. The insertion of a date, by year, was not practised in the time of William the Lion; the regnal year begins to appear under his successor; the *annus domini* not until the reign of the first James. In the absence of more conclusive internal evidence, limits between which the date of a charter must lie, may be deduced from the names of the witnesses. Thus the charter by William, printed on page 3, must have been written when Gilbert was Earl of Strathearn, *i.e.*, not before 1171, and when Andrew was Bishop of Caithness, *i.e.*, not after 1185: this is certainty. It is sealed at Perth, and hence Kennedy thinks it was granted by William in 1179, when advancing to Ross with an army to quell disturbances: this is conjecture.

William's second charter, in like manner, comes during the period 1187—1203, when Richard was Bishop of Moray. It is sealed at Aberdeen, and hence Kennedy suggests the year 1196, when the King made a second progress northward to suppress an insurrection in Caithness. The charter of Alexander II. must of course date after the accession of that monarch in 1214, and not later than 1222, when the widow of Walter Lindesay married a second time.

The editor has a pleasant duty to perform in acknowledging the co-operation of Mr. A. M. Munro, of the City Chamberlain's Office. All the documents from the burgh archives were transcribed for the press by Mr. Munro, with an accuracy that could not be surpassed: all the proof sheets have been read by him. But the mere work of transcription or of proof reading is but a part of his contribution towards the preparation of the volume. His familiarity with the contents of the Burgh Charter Room made comparatively easy the task of selection; and his intimate knowledge of the municipal history of Aberdeen—a knowledge always at the service of every enquirer—proved of the utmost use in elucidating many obscure points in the earlier deeds. The copious index is entirely due to Mr. Munro.

The editor wishes also to express his sense of the obligation under which he lies, for several suggestions, to Dr. Thomas Dickson, of H.M. General Register House, Edinburgh.

P. J. A.

ABERDEEN, *May*, 1890.

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- XXXII.—Charter by King James VI., under the great seal, granting to the provost, baillies, council and community of Aberdeen the habitation of the Minor Friars of the burgh to be converted into an hospital for the poor, maimed, impotent and orphans. Edinburgh, 30th December, 1567, - - - - - 68

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reparation of the Bulwark. Dunfermline, 8th August, 1596, - 97

Original in Burgh Charter Room, A² 52.

Seal as in Laing, I. 69.

Cf. Registrum Secreti Sigilli, lib. lxviii., f. 203.

XLI.—Letters by King James VI., under the signet, granting to the provost,
baillies, council and community of Aberdeen, exemption from attend-
ing the army at Dumfries. Holyroodhouse, 18th March, 159⁷, - 99

Original in Burgh Charter Room, A² 54.

Sealed with the signet, not given by Laing.

XLII.—Charter by King James VI., under the great seal, confirming :—

Charter by King Alexander II., - - - *Supra* No. III.

Charter by King David II., - - - „ No. XII.

Letters by King James IV., - - - „ No. XXVI.

Letters by Queen Mary, - - - „ No. XXX.

Feu-charter by provost, baillies, etc., of

Aberdeen : confirmed by, - - - „ No. XXXI.

Charter by himself, - - - „ No. XXXIII.

of new erecting the said burgh into a free royal burgh ; granting the
whole lands of the forest of Stocket and wood thereof according to
the limits occupied and defined in the annual ridings of the marches,
the waters of Dee and Don and fishings therein as then enjoyed, the
two mills within and the two mills without the said burgh with the
multures and sequels thereof, the castle hill, the green meadow
under the city called Futtie, the port and pier of Aberdeen,
anchorage and duties thereof, the bell and toll customs used and
wont, with courts, weights, measures, and all privileges and immuni-
ties pertaining to the said burgh ; granting also power of holding
free markets and market days within the said burgh, and of
buying and selling all kinds of merchandise thereat, of erecting
more grain and wind mills within the said burgh, freedom and
territory thereof, and of feuing out those parts of the freedom lands

hitherto unfeued ; granting also all feuduties, altarages, chaplainries, lands and fishings formerly belonging to the chaplains of St. Nicholas, and as great privileges, liberties and immunities as have at any time been granted to Edinburgh, Perth, Dundee, or any other burgh within the kingdom : To be held all and whole "in unum liberum burgum regalem" : Paying yearly £213 6s. 8d. Scots and 20s. of augmentation : The King promising, on the word of a prince, to have this charter ratified in his next parliament with advice of the three estates. Falkland, 14th August, 1601, - - - - - 100

Original in Burgh Charter Room, A² 60.

Seal wanting.

Cf. Registrum Magni Sigilli, lib. xliii., No. 170 ; and Registrum Secreti Sigilli, lib. lxxii., f. 26.

XLIII.—Charter by King James VI., under the great seal, homologating an Act of the Scots Parliament of date 28th June, 1617 (Pt. II., No. XXI.), which reduced the annual feuduty of £213 6s. 8d. from Sterling to Scots money ; confirming :—

Charter by King Alexander II., - - *Supra* No. III.

Charter by King David II., - - " No. XII.

Letters by King James IV., - - " No. XXVI.

Letters by Queen Mary, - - - " No. XXX.

Feu-charter by provost, baillies, etc., of

Aberdeen : confirmed by, - - " No. XXXI.

Charter by King Robert II., - - " No. XIV.

Charter by King James III., - - " No. XXI.

Gift by unquhile King James, under

his privy seal, dated at Perth, 4th

February, in the twenty-fifth year of

his reign, - - - - - Not found. *v. p. 119,*
note.

Decreet Arbitral between guild bur-

gesses and craftsmen of Aberdeen, - Pt. III., No. XVIII.

Letters by himself, - - - - *Supra* No. XXXVI.

Licence by himself, - - - - " No. XXXIX.

Charter by himself, - - - - " No. XXXIII.

Charter by himself, - - - - " No. XLII.

of new erecting the said burgh with all its crofts and acres, the forest of Stocket, the lands of Rubislaw and Cruives, the fishings on Dee and Don, ferry-boats, mills with multures and sequels, suburb called

Futtie with boats and white-fishings, port and pier of Aberdeen, power of lading and unlading ships on both sides of Dee and Don and of levying all petty customs and anchorage dues thereon; bell, toll and petty customs, tron weights and measures; power of holding courts within the said burgh and freedom, and of punishing and fining within the freedom harbour and flood-mark; power of merchandise throughout the shire and of having a merchant guild and two weekly markets on Wednesdays and Saturdays; power of erecting more mills within the freedom, and of feuing out those parts thereof hitherto unfeued; prohibiting all other parties from merchandising or usurping the power of a free burgh within the said shire; granting also power to the provost and baillies to make and publish acts and regulations concerning the maintenance of their privileges within the said freedom and shire; granting also the annual rents of the chaplainries of St. Nicholas, the habitation of the Grey Friars, the common loch, the Woolmanhill, Playfield, St. Catharine's Hall, Hedon's Hill and Gallow Hills, with the Links from Dee to Don, and with as great privileges as are possessed by Edinburgh, Perth, Dundee or any other royal burgh in the kingdom; and uniting and incorporating the whole with the said burgh of Aberdeen; to be held for ever in free heritage and free burgage, for a yearly payment of £213 6s. 8d. Scots with an augmentation of 20s. Falkland, 17th July, 1617, - - - - - 110

Original in Burgh Charter Room, A^s 72.

Seal wanting.

Cf. *Registrum Magni Sigilli*, lib. xlviii., No. 262; and *Registrum Secreti Sigilli*, lib. lxxxvi., f. 177.

XLIV.—Charter by King James VI., under the great seal, confirming to the provost, baillies, etc., a mortification made (12th July, 1612) by Master Duncan Liddell, of the lands of Pitmedden, for the support of poor scholars at the colleges of Aberdeen. Edinburgh, 20th August, 1617, 141

Copy in Burgh Charter Room, P^s 4^s.

Cf. *Registrum Magni Sigilli*, lib. xlviii., No. 226; and *Registrum Secreti Sigilli*, lib. lxxxvi., f. 216.

XLV.—Charter by King Charles I., under the great seal, confirming to the provost, baillies, etc., a mortification made (3rd August, 1631) by Master Patrick Dun, of the lands of Ferryhill, for the maintenance of

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four teachers at the Grammar School of Aberdeen. Holyroodhouse,
20th June, 1633, - - - - - 148

Original in Burgh Charter Room, F 68.
Seal as in Laing, I. 74.

XLVI.—Charter by King Charles I., under the great seal, in almost the same terms as No. XLIII., but granting two additional mills, the shore and sea mills, and two additional yearly markets; as also the Templar lands within the burgh, and revenues thereof to be added to the burgh; ratifying an act of the Town Council anent ground malt, dated 11th January, 1628; constituting the provost, baillies, council and community, sheriffs, coroners and justices of the peace within the burgh, common lands and harbour thereof, triers and visitors of all weights and measures within the county and burgh, and keepers of the gauge for salmon established by act of Privy Council of date 15th July, 1619 (Pt. II., No. XXII.); ratifying letters patent by King Robert I. of date 6th February, 1329 (No. X., *supra*); confirming the provost, baillies, council and community in the use and possession of the old and new Churches of St. Nicholas, the College Church, St. Catharine's Chapel, St. Ninian's Chapel, St. Clement's Chapel, and granting to them the right of presentation thereto, ordaining the bishop to give collation; uniting with the said burgh, lands, mills, fishings, etc., the said offices of sheriffs, coroners, triers and visitors, and rights of patronage into one free royal burgh, to be now and in all time to come called the Burgh of Aberdeen. Otlands, 9th September, 1638, 155

Original in Burgh Charter Room, A³ 4.
Seal wanting.
Cf. Registrum Magni Sigilli, lib. lvi., No. 28; and Registrum Secreti Sigilli, lib. cviii., f. 372.

XLVII.—Precept by King Charles I., under the privy seal, for a charter to the provost, baillies, council and community of Aberdeen of their parish church of St. Nicholas, with the teinds, parsonage and vicarage, and right of patronage thereof. Holyroodhouse, 11th November, 1641, - - - - - 199

Copy in Burgh Charter Room, T³ 11.
Cf. Registrum Secreti Sigilli, lib. cix., f. 371.

XLVIII.—Precept by King Charles I., under the privy seal, for a charter to the provost, baillies, council and community of Aberdeen of an annual rent of £100 sterling from the revenues of the Bishopric

of Ross, for the support of the ministers of the burgh. Holyrood-house, 18th November, 1641, - - - - - 201

Copy in Burgh Charter Room, A³ 9³.

Cf. Registrum Secreti Sigilli, lib. cx., f. 49.

XLIX.—Signature by King Charles II. for a letter under the great seal to confirm the preceding and of new to grant to the provost, baillies, councillors and community of Aberdeen a yearly pension of £100 sterling from the rents of the Bishopric of Ross. Whitehall, 10th April, 1661, - - - - - 204

Original in Burgh Charter Room, A³ 13.

L.—Signature by King Charles II. for a letter under the great seal to grant to the provost, baillies, council and community of Aberdeen the patronage of the church lately founded by George Davidson of Pettens, at Newhills, within the freedom of the said burgh. [*Circa* 1666], - - - - - 205

Copy (imperfect) in Burgh Charter Room, A³ 17.

LI.—Letters by King Charles II., under the great seal, granting to the provost, baillies and council of Aberdeen, in consideration of their expenditure on public works, and of losses incurred during the rebellion, certain excise duties for a term of eleven years. Whitehall, 30th September, 1678, - - - - - 207

Original in Burgh Charter Room, A³ 29.

Seal wanting.

LII.—Charter by Queen Anne granting, under the great seal, to the provost, baillies, and dean of guild, as representing the council and community, the teinds of the Cruives, above and below in the Don, for payment of the yearly feuduties to the minister of St. Nicholas of £38 Scots, and to the crown of 11s. 8d. Edinburgh, 31st July, 1702, - 211

Original (?) in Burgh Charter Room, T³ 14.

Cf. Registrum Magni Sigilli, lib. lxxviii., No. 78.

LIII.—Charter by King George II., under the seal of Scotland, granting to the provost, baillies, council and community of Aberdeen the teinds, parsonage and vicarage, of the parish of St. Nicholas, for the relief of the inhabitants of the burgh to the amount of said teinds. St. James, 16th June, 1737, - - - - - 216

Original (?) in Burgh Charter Room, T³ 18.

Cf. Registrum Magni Sigilli, lib. xcvi., No. 4.

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LIV.—Charter by King George III., under the seal of Scotland, granting to the treasurer of Aberdeen, for behoof of the provost, baillies, councillors and community, the right of salmon fishing in the sea, adjacent to the burgh lands in Kincardineshire. St. James, 1st February, 1804, - - - - -	222
Original in Burgh Charter Room, T ² 40.	
Seal in fragments.	

PART SECOND.

ACTS OF PARLIAMENT AND OF PRIVY COUNCIL.

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II.—Act of Parliament appointing the measure of Hamburg, after the old Assise of Aberdeen, to be the standard barrel for salmon, and forbidding coupers to make smaller barrels. 1st June, 1478, - - - - -	229
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- VIII.—Act of Parliament appointing the Lords of Session, six with a president, to sit at Aberdeen. 6th December, 1577. - - - - - 236
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- IX.—Act of Privy Council revoking an infestment of the lands of Polgony and Murtour, granted to George Auchinleck of Balmanno during the King's minority, so far as the same extended to the contiguous salmon fishings on the water of Don, which had been peaceably enjoyed by the burgh since the grant of King Robert I. (Pt. I., No. VIII.). 22nd June, 1580, - - - - - 237
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- XIII.—Act of Parliament appointing a committee to examine and report to the Privy Council anent the bridge of Don, and empowering the said Council, if need be, to impose a general tax for upholding the bridge. 29th July, 1587, - - - - - 244
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XXVIII.—Act of Parliament declaring recent election of council and magistrates in the burgh to have been illegal; and appointing nineteen councillors for the present year, with power to choose magistrates from their own number, and at next election to elect successors of known affection to the cause. 6th February, 1647, - - - - -	261
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XXX.—Act of Parliament recognising the public indebtedness to the burgh to the extent of 927,120 merks; and granting towards the extinction of this debt the suspension of the payment of arrears, the town's monthly maintenance prior to 1st February, 1649, and a sum of £1000 sterling from the burgh excise for February and subsequent months. 12th March, 1649, - - - - -	264
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- XIX.—Charter by Mr. Alexander Hay, Clerk to the Parliament and Council, conveying to the burgh feuduties amounting to £27 8s. 8d. Scots, for the upkeeping of the Bridge of Don. Edinburgh, 1st February, 1605 (*cf.* Pt. II., No. XX.), - - - - - 351
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PART I.
CROWN CHARTERS
AND
LETTERS PATENT.

CROWN CHARTERS AND LETTERS PATENT.

I.

W · d̄ Ḡra Rex Scoſſ · Om̄ib⁹ p̄b̄ hōib⁹ toti⁹ ſre sue Saluē · Sciant p̄ſentes ſ fut'j me Conceſſiſſe · ſ hac Carta mea Confirmaſſe Burgēſib; meis d̄ Abdoen · ſ Om̄ib⁹ Burgēſib⁹ d̄ Morauia · ſ Om̄ib⁹ Burgensib⁹ meis ex aq'lonalj pte de Muneh * manētib⁹ libū ansū suū Tenēdū uⁱ voluerit · ſ q^{ndo} voluerit · Ita libe ſ q'ete plenarie ſ honorifice Sicut aīceſſores eorū

I.

King William the Lion grants a free Hanse to his burgesses of Aberdeen and others.†

WILLIAM, by the grace of God King of Scots, to all good men ‡ of his whole land, greeting. Know all men, present and to come, that I have granted, and by this my charter have confirmed, to my burgesses of Aberdeen, and to all burgesses of Moray, and to all my burgesses dwelling to the north of the Munth, their free Hanse, to be held where they will and when they will; as freely and peaceably,

* In previous reproductions of the earliest Aberdeen charter (Kennedy's *Annals of Aberdeen*, 1818, Vol. I., Reissue, p. 8; *Appendix to Report on Municipal Corporations (Scotland)*, 1835, p. 6; Gordon's *Description of Bothe Towns of Aberdeens*, 1842, p. 29; *The Acts of the Parliament of Scotland*, 1875, Vol. I., Reissue, p. 87) this word has invariably been printed "Munth". It will be seen from the frontispiece that the correct rendering is undoubtedly as above. The interchange of lingual and guttural terminations is not uncommon. Compare the forms, Meneteth, Meneteh, Meneteht.

· † See Preface with reference to dates of this and next two charters.

‡ "These styles were borrowed almost verbatim from Anglo-Saxon England, . . . The class of the 'good men,' *probi homines*, does not precisely mean men of morality. Like *libertemen*, the title of *probi homines* has been a great subject of controversy in England, without much fruit from the strife. . . . I think English lawyers have now agreed that *probi homines* may be correctly rendered either vassals or subjects. . . . With us *probus homo* has a similar meaning. I have myself a series of charters and letters in which the owners of certain lands in Moray are styled 'Goodman of Cotts,' 'Goodman of Leuchars'; and that designation lasted for a century or two."—Cosmo Innes' *Lectures on Scotch Legal Antiquities*, p. 35.

tēpe Reġ DD. Auġ mej Ansū suū libi⁹ ⁊ honorificēti⁹ habuerunt · Q're
phibeo firmi⁹ Ne q's eos ind vexet aut Disturbet Sup meā plenariā
forisfacturā · Test' · Andf · Eġo de Katenes · Comiġ · Duneċ · Iustiċ ·
Gillebto Comiġ · d St'dhern · Comiġ · G · d Aneg⁹ · Ricardo de Moreuiff ·
Cōstab · Walfo de Berket · Cam · G · d Maleuiff · Hugōe Giffard · Malisio
f're Comit'is d St'h · Apd PERT.

II.

W · di g'ra Rex Scoſſ · Eġis · Abbtib⁹ · Com · Baroñ · Iustiċ · viceċ · ppōitis ·
Minist's · ⁊ Omib⁹ p'bis hōinib; tot; f're sue c'icis ⁊ laicis · salt · Sciant p'sen-
tes ⁊ fut'j me in ppetuū quietos clamasse oēs burgenses meos de Aberdon
a tolneio de pp'is catañ suis p totū regnū meū p bono seruicio qd idē bur-

fully and honourably, as their ancestors, in the time of King David, my grand-
father, had their Hanse freely and honourably. Wherefore I strictly forbid anyone
to trouble or disturb them therein, on pain of my full forfeiture. Witnesses :
Andrew, Bishop of Caithness ; Earl Duncan, Justiciar ; Gilbert, Earl of Strath-
earn ; Earl G. of Angus ; Richard of Moreville, Constable ; Walter of Berkeley,
Chamberlain ; G. of Maleville ; Hugh Giffard ; Malis, brother of the Earl of
Strathearn. At PERTH.

II.

*King William the Lion frees his burgesses of Aberdeen from the payment of toll on
their own goods in any part of his Kingdom. 28th August.*

WILLIAM, by the grace of God King of Scots, to the bishops, abbots, earls,
barons, justiciars, sheriffs, provosts,* officers, and all good men of his whole land,
churchmen and laymen, greeting. Know all men, present and to come, that I
have declared all my burgesses of Aberdeen for ever quit of toll on their own
goods throughout my whole kingdom, in return for the good service which the

* "The word *prepositus* cannot be considered equivalent to the modern provost, inasmuch
as it is generally used in the plural, with reference to each burgh of any size. . . . The
officers who accounted for the *fermes* are, during the first half of the fourteenth century,
generally called *prepositi*, occasionally *ballivi*, the latter name having probably survived from
the period when the collectors of the *fermes* were Crown officers. . . . Mayor and Alderman
were terms in use as designations of the chief magistrate of the more important burghs." *The Exchequer Rolls of Scotland*, Vol. I., 1878, pp. lxxxvi., lxxxvii. In the Scotch MSS. of
the "*Leges Burgorum*" the term *prepositus* is rendered indifferently "burrow greyff," "aldyr-
man," and "bailye". *Ancient Laws and Customs of the Burghs of Scotland*, Vol. I., 1868,
pp. 5, 25.

genses mej mⁱ fecerūt · Et idō uollo ut nřm p regnū meū dent tolneiū de pp'is catař · suis · 7 firmiř p'cipio ut ubicūq; in regno meo uenerit' ppetuo a tolneio q'etj sint de pp'is catař · suis · Q'r phibeo firmiř nequis in regno meo eos iniuste uexare p'supmat in exigendo ab eis de p'priis catař eoř tolneiū' sup meam plenariā forisfacturam · Test · Rič · Eřo Moraue · Com · Duneč · Iustič · Gilleř · Com · de Mař · Wiffo 7 Walfo Capřis meis · Philipř · de Valoř · Alař · fiř · Rolland · constab · Wiffo de Haia · Wiffo Giffard · Vmifř · de Berkat · Henř · Reueř · Thom · Thancard · yuone de vetj ponte · Walř · fiř · Sibald · apđ aberdon xxviiij · die Augtj.

III.

Alex · dei Gřa Rex Scoř · Epř · Abbatib⁹ · Comitib⁹ · Iustič · vicecomitib⁹ · Prepositis · Minist's · 7 Omib⁹ probis Hōinib⁹ Tocius Terre sue · Clericis 7 laicis · Saluř · Sciant p'sentes 7 fut'i · me Concessisse · 7 hac Carta mea confirmasse · burgo meo 7 burgensib⁹ meis de Aberdeř · iura 7 libtates que predecessores mei concesserūt burgo 7 burgensib⁹ đ Perř ·

same, my burgesses, have rendered to me. And it is therefore my will that they pay no toll throughout my kingdom on their own goods, and I strictly ordain that wherever they come within my kingdom they be for ever quit of toll on their own goods. Wherefore I strictly forbid anyone within my kingdom to make bold to trouble them wrongously by demanding from them toll on their own goods, on pain of my full forfeiture. Witnesses: Richard, Bishop of Moray; Earl Duncan, Justiciar; Gilchrist, Earl of Mar; William and Walter, my Chaplains; Philip of Valoines; Alan, Son of Rolland, Constable; William of Hay; William Giffard; Humphrey of Berkeley; Henry Reuel; Thomas Thancard; Yvon of Vipont; Walter, Son of Sibald. At Aberdeen, the twenty-eighth day of August.

III.

King Alexander II. grants to his burgh and burgesses of Aberdeen the privileges granted by his predecessors to the burgh and burgesses of Perth. 27th February.

ALEXANDER, by the grace of God King of Scots, to the bishops, abbots, earls, barons, justiciars, sheriffs, provosts, officers, and all good men of his whole land, churchmen and laymen, greeting. Know all men, present and to come, that I have granted, and by this my charter have confirmed, to my burgh and to my burgesses of Aberdeen the rights and privileges that my predecessors granted to the burgh

Sciūt · ut habeant forum suum die Sabbati in q^{libet} Ebdomada · meamq^{ue} firmam pacem dedi iuste omib^{us} p^{ro}bis hōinib^{us} qui ad forum illā uenient · Et phibeo · ne quis eis ī ueniendo ad forum uel ī redeundo iūriam · uel molestiam · aut g^{ra}uamen iniuste īferat · sup^{er} meam plenariam forisfacturam · Phibeo ē firmū ne q^{ui}s m^{er}chator ext^{ra}neus infra vicecomitatū de Aberdeñ · ext^{ra} burgum meum de Aberdeñ · aliqu^{od} emat uel uendat sup^{er} meam defensionem · Set ext^{ra}nei merchatores deferant merchat^{us} suas ad burgum meū de Aberdeñ · ē eas ibi uendant · ē denarios suos implice^{ant} · Si quis uero merchator ext^{ra}neus sup^{er} defensionem meā inuent^{us} fuit ī Vicecomitatu de Aberd^{ne} · aliq^{uod} emens uel uendens · capiat^{ur} · ē detineat^{ur} don^{ec} uoluntate meā de eo p^{ro}cepo · Phibeo ē firmū · ne Q^{ui}s merchator ext^{ra}neus secet pannum suū ad uendendū in foro de Aberdeñ · nisi a die ascensionis dñi usq^{ue} · ad vincula S^{an}c^ti Pet^{ri} infra q^{ui}s īminos · uolo ut ip^{si} secent pannū suū · ad uendendū in foro de Aberdeñ · ē ibi emant ē uendant pannum ē alias merchat^{us} suas cōmuni^{ter} cum burgensib^{us} meis · sicut dñici burgense^{rum} mei · saluis Rectitudinib^{us} meis · Precipio ē ut omes qui manent in burgo de Aberd^{ne} ē cum b^{ur}gensib^{us} meis ad forū cōmunicare uoluerūt cōmunicent cum illis ad auxilia mea reddenda · cui^{us}cūq^{ue} homies sint · Phibeo ē ne aliqua

and to the burgesses of Perth, that is to say, to hold their market on Saturday in every week ; and I have rightly given my sure protection to all good men who shall come to that market ; and I forbid anyone wrongously to inflict injury or annoyance or inconvenience upon them while coming to market or while returning, on pain of my full forfeiture. I also strictly forbid any stranger merchant to buy or to sell anything within the sheriffdom of Aberdeen outwith my burgh of Aberdeen, in despite of my protection ; but stranger merchants are to bring their merchandise to my burgh of Aberdeen and there sell the same and receive their money ; if, however, any stranger merchant shall, in despite of my protection, be found within the sheriffdom of Aberdeen buying or selling anything, he is to be apprehended and kept in custody until I shall have declared my pleasure regarding him. I also strictly forbid any stranger merchant to cut his cloth for sale in the market of Aberdeen, save from the day of the Ascension of Our Lord to the feast of St. Peter's Chains ; between which terms it is my will that they cut their cloth for sale in the market of Aberdeen, and there buy and sell their cloth and other merchandise in common with my burgesses, in like manner as my proper burgesses : saving my rights. I also ordain that all who dwell in the burgh of Aberdeen and wish to take part with my burgesses in the market, take part with them in paying my dues, whose men soever they be. I also forbid the

taberna habeat' in aliq^a uilla in vicecomitatu de Aberdeñ · nisi ubi miles sit dñs uille · ⁊ in ea manens · ⁊ ibi nō habeat' nⁱ una sola Taberna · Concedo ⁊ eisdem burgensib⁹ meis de Aberdeñ ut habeant Gildam suā merchatricem · exceptis fullonib⁹ ⁊ telariis Phibeo ⁊ firmit^r ne Q's manens ext^a burgū meū de Aberdⁱ i vicecomitatu de Aberdeñ · faciat pannum tinctum uel tonsum in vicecomitatu de Aberdⁱ · uel facere faciat · pre^t b'gense^a nōs de Aberdeñ · qⁱ sunt in Gilda merchatoria · ⁊ qui cōmunicant ad auxilia mea reddenda cū b'gensib⁹ meis de Aberdeñ · exceptis illis qui de hac libtate cartam suam hucusq^{ue} habue^{re} · Q're phibeo firmit^r · ne q's i vicecomitatu de Aberdⁱ · facere psumat pannū tinctū uel tonsum · sup meā plenariā forisfacturā · Si uero alicui⁹ pann⁹ tinctus uel tonsus inuent⁹ fuit factus sup hāc defensionem · precipio vicecomiti nō qⁱtin⁹ capiat pānum · ⁊ inde faciat scdm qd consuetudo fuit tp^r Regis · DD · paui mei · Phibeo ⁊ firmit^r · ne q's extraneus extra burgum meum de Aberdeñ · emat uel uendat Coria uel lanam nⁱ i burgo nō de Aberdeñ · Has aut^{em} oēs libtates ⁊ consuetudines illis concedo ⁊ hac Carta mea Confirmo · Saluis libtatib⁹ ⁊ liberis cōsuetudinib⁹ · q^a ante concessionem istam date fue^{re} aliis burgis ⁊ burgensib⁹ infra balliam de Aberdeñ ·

keeping of any tavern in any town within the sheriffdom of Aberdeen, save where a knight is lord of the town and dwells therein ; and there no tavern, save one only, is to be kept. I also grant to the same, my burgesses of Aberdeen, that they have their merchant guild, the waulkers and weavers being excluded. I also strictly forbid anyone dwelling outwith my burgh of Aberdeen within the sheriffdom of Aberdeen, to make or cause to make cloth dyed or shorn within the sheriffdom of Aberdeen, save my burgesses of Aberdeen who are of the merchant guild and who take part in paying my dues with my burgesses of Aberdeen : with the exception of such as had hitherto their charter securing this privilege ; wherefore I strictly forbid anyone within the sheriffdom of Aberdeen to presume to make cloth dyed or shorn, on pain of my full forfeiture ; if, however, any person's dyed or shorn cloth shall be found, made in despite of this protection, I command my sheriff to seize the cloth and to do therewith as was the custom in the time of King David, my great-grandfather. I also strictly forbid any stranger, outwith my burgh of Aberdeen, to buy or to sell hides or wool, save within my burgh of Aberdeen. All these privileges and usages, however, I grant, and by this my charter confirm to them, without prejudice to the privileges and free usages which before this grant were bestowed on other burghs and burgesses within the bailiwick of Aberdeen. Moreover, I strictly enjoin my

Precipio aut̃ firmit̃ bailliuīs meis de Aberdeñ · q̃tin⁹ p̃dictis burgensib⁹
meis de Aberdeñ · auxiliantes sint · ⁊ eos iuste manuteneant ad pred̃cas
rectas consuetudines burgi habendas · Et phibeo · ne Q's p̃d̃cos burgenses
ñros cont̃ p̃dictas Rationabiles leges ⁊ Consuetudines iniuste uexare p̃sumat
sup̃ meā plenariam forisfacturam · Test⁹ · Wiſt · de boscho Canc̃l̃ · ñro ·
Comite Malcol̃m · de fif · Walteř · de Lindes · Iohe de Maccuswel · DD ·
marescaſt · Walteř · Cuñ · Iordañ · Cumiñ · Heruič · Marescaſt · DD · de
Hastiġ · Malcol̃m · pincerna · Rob · de Sco Claro · Ap̃d Alicht · xxvij ·
die Februay.

IV.

Aleġ di g̃fa Rex Scottoꝝ Om̃ibus probis Hominib⁹ Tocius Terre Sue
Sal̃m · Nouitis nos concessisse dedisse · ⁊ p̃senti Carta ñra confirmasse
Burgensib⁹ ñris de Aberdeñ Dil̃ctis ⁊ fidelib⁹ ñris ut habeant Singulis
Annis a Die S̃c̃e Trinitatis Nundinas in Burgo ñro de Aberdeñ p̃ duas
septimanas continue sequentes duraturas · cum om̃ibus Iuribus · Lib̃tatib⁹ ·

baillies of Aberdeen to render aid to my foresaid burgesses of Aberdeen, and
rightly to maintain them in possession of the foresaid true usages of the burgh.
And I forbid anyone to make bold wrongously to trouble my foresaid burgesses
in despite of the foresaid reasonable laws and usages, on pain of my full forfeiture.
Witnesses : William de Boscho, my Chancellor ; Malcolm, Earl of Fife ; Walter
of Lindesay ; John of Maccuswell ; David, Marischal ; Walter Cumin ; Jordan
Cumin ; Hervey, Marischal ; David of Hastings ; Malcolm, Cupbearer ; Robert
of Saint Clair. At Alyth, the twenty-seventh day of February.

IV.

*King Alexander III. grants to his burgesses of Aberdeen the right to hold a yearly
fair for two weeks from the day of the Holy Trinity. and December [1273].**

ALEXANDER, by the grace of God King of Scots, to all good men of his whole
land, greeting. Know ye that we have granted, given, and by our present charter
confirmed to our burgesses of Aberdeen, our beloved and trusty, the right to hold
a yearly fair within our burgh of Aberdeen to last for two consecutive weeks from
the day of the Holy Trinity; with all the rights, liberties, privileges, and usages

* Alexander III. began to reign 8th July, 1249.

Rectitudinib; · ⁊ ⁊suetudinib; · ad alias Nundinas n̄as In Burgis n̄is p
Regnum n̄m constitutas iuste ptinentibus Testibus Wiſſo Cumyñ de
Kylbryde · Thoma Ranulphi tunc : Cam̄ario · Reginaldo le Cheñ · Roſo
de Cambruñ · Wiſſo de S̄co Claro · P̄ccio de Gr̄aham · ⁊ · Wiſſo Byseth ·
Apud Kyntoꝝ · Sc̄do · die Decemb̄r · Anno regni n̄ri · vicesimo q'nto.

V.

Aleġ dei gr̄a Rex Scott' omnib; probis hominib; toci⁹ ūre ad quos
presentes littere pueniunt : Salm̄ · Sciatis nos burgenses n̄ros de Abirden
ūras suas homines suos ⁊ vniūſas eoꝝd possessiones ac om̄ia bona sua
mobilia ⁊ im̄obilia sub ūma pace ⁊ p̄tectione n̄ra iuste suscepisse Q're
firmi⁹ phibem⁹ · ne quis eis malum · molestiam · iniuriam seu g'uamen
aliquod inferre p̄sumat iniuste sup n̄ram plenariam forisfacturā · Con-
cessim⁹ ⁊ eisdem vt nullus namos suos vel alicui⁹ iṑoꝝ seu hominū suoꝝ
capiat p alicui⁹ debito · plegiagio vel forisfacto · nisi p suo pp'o debito
plegiagio vel forisfacto · firmi⁹ inhibentes · ne quis eos vel aliquē iṑoꝝ

justly pertaining to our other fairs established in our burghs, throughout our
kingdom. Witnesses : William Cumyn of Kilbride ; Thomas Ranulph, then
Chamberlain ; Reginald le Chen ; Robert of Cambrun ; William of Saint
Clair ; Patrick of Graham ; and William Byseth. At Kintore, the second
day of December, in the twenty-fifth year of our reign.

V.

*King Alexander III. declares his burgesses of Aberdeen to be under his protection,
and their goods to be free from poinding, save for their own debts. 27th
January [127⁶].*

ALEXANDER, by the grace of God King of Scots, to all good men of the whole
land to whom the present letters shall come, greeting. Know ye that we have
rightly taken under our sure peace and protection our burgesses of Aberdeen,
their lands, their men, and their entire possessions, and all their goods movable
and immovable. Wherefore we strictly forbid anyone to make bold wrongously
to inflict upon them any hurt, annoyance, injury or inconvenience, on pain of our
full forfeiture. We have likewise granted to the same that no one shall poind
their goods, whether those of anyone of themselves or of their men, for the debt,
caution, or fine of anyone, save for their own proper debt, caution, or fine ;
strictly forbidding anyone to make bold wrongously to trouble them or anyone

cont^a hanc concessionem nram vexare psumat iniuste sup nram plenariā forisfacturam · Test' · Wiffo Cumyn de kelebrid · Wiffo de Sño Claro · Symone ffrā · pat'cio de Grahām ap^d kyncardyñ vicesimo septimo die Ianuari Anno regni nri vicesimo octauo.

VI.

Robertus dei grā Rex Scottoꝝ Omībus probis hominibꝫ tocius ũre sue Salēm Sciatis nos dedisse concessisse et hac p̄senti Carta nra confirmasse Burgensibus ꝛ comunitati burgi nri de Abirdeñ Curam ꝛ Custodiam tocius foreste nre de Le Stoket cum p̄tinenciis Tenend ꝛ Habend dco Burgo Burgensibus ꝛ Comunitati eiusdm ꝛ eoꝝ Heredibus ꝛ Successoribꝫ p omēs Rectas metas suas ꝛ diuisas cū omībus Libtatibꝫ cōmoditatibꝫ ꝛ aisiañtis ad dcam forestam spectantibus seu de iure vel consuetudine in futurum Spectare valentibus · saluis nobis viridi ꝛ venacione tantū · Concedimꝫ eciam eidm Burgo nro · Burgensibus ꝛ Comunitati eiusdm · ꝛ eoꝝ Heredibus et Successoribus q nullus Iusticiariꝫ forestaꝝ nraꝝ · nec aliquis

of them in despite of this our grant, on pain of our full forfeiture. Witnesses : William Cumyn of Kilbride ; William of Saint Clair ; Symon Fraser ; Patrick of Graham. At Kincardine, the twenty-seventh day of January, in the twenty-eighth year of our reign.

VI.

*King Robert I. grants to the burgesses of Aberdeen the custody of his forest of the Stocket. 24th October [1313].**

ROBERT, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have given, granted, and by this our present charter confirmed to the burgesses and community of our burgh of Aberdeen the care and custody of our whole forest of the Stocket with the pertinents ; to be held and had by the said burgh, burgesses, and community thereof, and by their heirs and successors, by all their right meiths and marches, with all the privileges, conveniences, and easements belonging, or which shall in future belong, whether by law or by usage, to the said forest ; reserving for ourselves only the green wood and the game. We also grant to the same our burgh, to the burgesses and community thereof, and to their heirs and successors, that no justiciar of our

* Robert I: began to reign 27th March, 1306.

alius Regni nři cuiuscūq; condičonis fuit siue status se intōmittat · seu cognicionem heat sup defectibus dēe foreste nře · p̄t psonam nřam ⁊ Camłariū nřm qui p tpe fuit firmi⁹ inhibentes ne quis cont^a hanc concessionem nřam ipos Burgenses vř Comunitatem · hedes suos ut successores vexare p̄sumat iniuste sup nřam plenariam forisfacturam · In cui⁹ Rei testiōm p̄senti Carte nře siglū nřm p̄cepim⁹ apponi · Testibus Edwardo de Bruis Comite de Carrick ⁊ Dño Galwidie fratre nřo · Daud Comite Atholie Constabulario nřo Scocie Thoma Ranulphi Comite Moraue nepote nřo · Iohne de Meneteth · Gilbto de Haia · Aleřo de Meyners · ⁊ Robto de Keth Marescallo nřo Scocie Militib; · Apud Dundee: vicesimo quarto die Octobr̄ · Anno Regni nři · Octauo.

VII.

Robtus dei gratia Rex Scottoꝝ · Omnib; Probis Hominib; tocius ĩre sue Sařm · Sciatis nos concessisse et hac p̄senti Carta nřa confirmasse Burgensib; et Comunitati Burgi nři de Abirden dilectis et fidelib; q ipi Heredes ⁊ Successores sui Nundinas illas quas excercere solebant in festo

forests, and no other person of our kingdom, of whatsoever condition or rank he be, shall interfere with, or take cognisance of the neglect of our said forest, save our own person and our Chamberlain for the time being; strictly forbidding anyone to make bold, in despite of this our grant, wrongously to trouble the same burgesses or community, their heirs or successors, on pain of our full forfeiture. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Edward of Bruce, Earl of Carrick, and Lord of Galloway, our brother; David, Earl of Athole, our Constable of Scotland; Thomas Ranulph, Earl of Moray, our nephew; John of Menteith; Gilbert of Hay; Alexander of Meyners; and Robert of Keith, our Marischal of Scotland—Knights. At Dundee, the twenty-fourth day of October, in the eighth year of our reign.

VII.

King Robert I. alters the beginning of the Aberdeen fair from the feast of the Holy Trinity to Low Sunday. 8th December [1319].

ROBERT, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have granted, and by this our present charter have confirmed, to the beloved and trusty burgesses and community of the burgh of Aberdeen, that the fair which they were wont to engage in on the feast of the

Sce Trinitatis ex infeodacone pdecessorū fīroū Regum Scocie excerceant deceto teneant ⁊ possideant in dco Burgo singulis annis a die dñca qua cantat⁹ quasi modo geniti p vnam quindenam sequentem plene ⁊ continue duraturam sub firma pace ⁊ protecone nra. In cui⁹ Rei testiom⁹ p̄senti Carte nre Sigillum nostrum p̄cepim⁹ apponi. Testib⁹. Bernardo Abbate de Abirbrothoc. Cancellio nro. Thoma Ranulphi Comite Moraue ⁊ Dño Vallis Anandie ⁊ Mannie. Waldo Senescallo Scocie. Iacobo Dño de Duglas. Robto de Keth Marescallo nro Scocie. Daud de Lindesay ⁊ Daud de Berkelay militib⁹. apud Berewicum sup Twedam Octauo die Decembr̄. Anno Regni nri Quarto decimo.

VIII.

Robertus dei gracia Rex Scottoꝝ. Omnib⁹ probis hominib⁹ tocius terre sue Salū. Sciatis Nos de consilio ⁊ ordinacone pboꝝ Regni nost' cōcessisse ⁊ ad ffeodofirmā assedasse. ac p̄senti carta nra confirmasse burgen-sib⁹ nris ⁊ cōitati burgi nri de Abdene burgū nrm de Abdene p̄dēm ⁊

Holy Trinity by infestment of our predecessors Kings of Scotland, they, their heirs and successors, shall engage in and otherwise hold and possess in the said burgh yearly from the Sunday on which "*Quasi modo geniti*"* is sung for the space of a fortnight thereafter, to continue fully and without break, under our sure peace and protection. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Bernard, Abbot of Arbroath, our Chancellor; Thomas Ranulph, Earl of Moray, Lord of Annandale and Man; Walter, Steward of Scotland; James, Lord of Douglas; Robert of Keith, our Marischal of Scotland; David of Lindesay and David of Berkelay, Knights. At Berwick-on-Tweed, the eighth day of December, in the fourteenth year of our reign.

VIII.

King Robert I. grants in perpetual feu to his burgesses of Aberdeen, for a yearly payment of £213 6s. 8d. sterling,† his burgh of Aberdeen and his forest of the Stocket. 10th December [1319].

ROBERT, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that, with the advice and approval of the good men of our kingdom, we have granted and set to feufarm, and by our present charter

* "*Quasi modo geniti*"—the opening words of the Introit in the Mass for the first Sunday after Easter.

† See Charter by James VI. of date 17th July, 1617, *postea*.

fforestam nřam del Stoket cū ptinēciis Tenend' & habend' p'dcīs burgens' & cōitati eoꝝ · heredibꝫ & successoribꝫ in ppetuū · de nob' & heredibꝫ nřis in ffeodo & hereditate & in libo burgag' · p omēs rectas metas & diuisas suas · cū Molēdinis · Aquis · piscariis · Minut' Custumis · Tolloneis · Curiis · ponderibꝫ · Mensur' · & cū omibꝫ aliis Libtatibꝫ · Cōmoditatibꝫ · Aysiamētis · Consuetudibꝫ & iustis ptinēciis suis · ad Assedacōem dcoꝝ burg' & fforeste · de iure & cōsuetudie sp'tantibꝫ · vel sp'tare valentibꝫ in ffutur' · Reddendo inde nob' annuat' vt heredibꝫ nřis · dci burgū · eoꝝ hedes & successor' vt s'dcū est · Ducētas & Tresdecē lib' · sex solid' & octo denar' s'ling' tant' · in Camlam nřam ad duos anni tios · vidlcꝫ Medietatē ad ffest' Penth' & aliā Medietat' ad ffest' S'ti Martini i hyeme · p omī alio seruicō · exactōe · qsuetudie · seu demand' · Volum' ecīā & qcedim' q dci burgū nři · hēd' & successor' eoꝝd' · libe' & sine impedimēto c'cūqꝫ · in Campis Moris' & aliis q'bycūqꝫ Locis dce fforeste ex^a boscū del Stoket p'dco burg' de Abdene p'x adiacentē · possint oīodam culturā face' · Mansiones & edificia qst'ere · ffocat fode' · ac alias q'scūqꝫ qmoditat' exccere · pfice' & ordinare · put meli' viderint expedire · Saluo tant' nob' & hēdibꝫ nřis · virid' g'ssax arboꝝ in p'dco bosco et venacōe simitr si in ead' fforesta

confirmed to our burgesses and community of our burgh of Aberdeen, our foresaid burgh of Aberdeen and our forest of the Stocket with the pertinents; to be held and had by the foresaid burgesses and community, their heirs and successors, for ever, of us and our heirs in fee and heritage and in free burgage, by all their right meiths and marches, with mills, waters, fishings, petty customs, tolls, courts, weights, measures, and with all other privileges, conveniences, easements, usages, and their just pertinents by law and usage belonging, or which shall in future belong, to the sett of the said burgh and forest; paying yearly therefor the said burgesses, their heirs and successors, to us or to our heirs, as aforesaid, two hundred and thirteen pounds, six shillings and eightpence sterling only, into our Treasury at two terms yearly, half at the feast of Pentecost and the other half at the feast of Saint Martin in winter, in place of all other service, exaction, usage or demand. It is also our will and we grant that our said burgesses, the heirs and successors thereof, freely and without hindrance from anyone, in the fields, moors and other portions whatsoever of the said forest outwith the wood of the Stocket, hard by the foresaid burgh of Aberdeen, may perform every kind of tillage, erect dwelling-houses and other buildings, dig fuel, and exercise, carry out and regulate other conveniences whatsoever, as they shall see fit to arrange: reserving for ourselves and our heirs only the green-growth of the great trees in the foresaid wood, and game like-

casualr^o inuēiat' · Concessim^o ecia^o eid^o burgo nro · burgū ⁊ Cōitati er^o d^o · hedq^o ⁊ ssuccessorib^o suis · q^o nū^o Iusticiari^o fforest^o v^o aliq's ali^o Regni nri · cui^o cūq^o qdicōis fuerit siue stat^o sup Custodia p^osent^o Concessionis ⁊ infeodacōis nre · vel sup defectib^o ei^o d^o se aliq^o lit^o int^omittant aut qgōem habeant · nisi tant^o Camlā^o n^o q' p tēpe fūit · Ita tam^o q q'cūq^o s^o hui^o mōi defectib^o aut s^o destōe · Virid^o aut Venaōis in dēa fforestā Legalit^o quict^o fūit · penā hui^o mōi Criminis sōportet i pp'a psona ⁊ nū^o ali^o · Principali tam^o qcessionē ⁊ infeodaōe nra in suo Robore f'mit^o ⁊ ppetuo pmanente · In cui^o Rei Testimoniū p^osentib^o sigillū nrm pcepim^o apponi · Testib^o Wiillmo ⁊ Wiillmo S^oi Andr^o ⁊ Donkeld Ep^o · Bernardo Abbe de Abbrothoc^o ⁊ Cancellar^o nro Thm Ranulph Comit^o Morau^o ⁊ Dño Vail Anand^o ⁊ Manū · Robto de Keth Marisca^o nro · Gilbto de Haya Const^o nro · Alexandro ffrā^o Camlā^o nro Militib^o : Apud Berwyc s^o Twed · Decio die Decemb^o Anno Regni nri · Quarto decimo.

IX.

Robtus dei grā Rex Scottoꝝ · Omib^o probis homib^o tocius t^ore sue ·

wise, should any such chance to be found in the same forest. We have likewise granted to the same our burgh, the burgesses and community thereof, their heirs and successors, that no justiciar of the forest or any other person of our kingdom, of whatsoever condition or rank he be, shall in any way interfere with or take cognisance of the administration of the present grant and our infestment, or of infringements thereof, save only our Chamberlain for the time being; but so that whosoever shall be lawfully convicted of such infringements, or of destroying the green wood, or the game in the said forest, shall undergo the punishment of such crime in his own person, and no other: the chief grant, however, and our infestment remaining in full force strictly and for ever. In witness whereof we have ordered our seal to be appended to these presents. Witnesses: William, Bishop of Saint Andrews, and William, Bishop of Dunkeld; Bernard, Abbot of Arbroath, and our Chancellor; Thomas Ranulph, Earl of Moray, and Lord of Annandale and Man; Robert of Keith, our Marischal; Gilbert of Hay, our Constable; Alexander Fraser, our Chamberlain—Knights. At Berwick-on-Tweed, the tenth day of December, in the fourteenth year of our reign.

IX.

King Robert I. frees his burgesses of Aberdeen from payment of duty on ale and on red fish and white fish. 25th September [1323].

ROBERT, by the grace of God King of Scots, to all good men of his whole

Sciatis nos concessisse et hac presenti Carta nostra confirmasse Burgensibus nostris de Abirden quod ipsi et eorum Successores Liber sint et in perpetuum quieti de omni assisa seruicie et piscis rubei et albi quam assisam temporibus retroactis soluere consueuerunt. Volumus tamen quod dicti Burgenses de dicta assisa Waltero de Berkelay Militi nunc vicecomiti nostro de Abirden satisfaciant et plenarie respondeant quod diu ibidem nostrum stetit vicecomes. In cuius rei testimonium presenti Carte nostre Sigillum nostrum precepimus apponi. Testibus Bernardo Abbate de Abirbrothoc Cancellario nostro. Waltero Senescallo Scocie. Iacobo domino de Douglas. Alejo fratre camerario nostro. et Gilberto de Haya constabulario nostro. Militibus. Apud Lacum de Leuyn vicesimo quinto die Septembris. Anno Regni nostri Octauo decio.

X.

Robtus dei gra Rex Scottoꝝ Iusticiariis. Vicecomitibus. propositis. et eorum baillis. cellisq. fidelibus suis vniuersis ad quos presentes ire possunt Salutem. Sciatis quod concessimus burgensibus nostris et comunitati Burgi de Abirden.

land, greeting. Know ye that we have granted, and by this our present charter have confirmed, to our burgesses of Aberdeen, that they themselves and their successors shall be free and for ever quit of all manner of duty on ale and on red fish and white fish, which duty they have been wont to pay in times past. It is, however, our will that the said burgesses shall pay and fully account for the said duty to Walter of Berkelay, Knight, our present sheriff of Aberdeen, so long as he shall continue to be our sheriff there. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Bernard, Abbot of Arbroath, our Chancellor; Walter, Steward of Scotland; James, Lord of Douglas; Alexander Fraser, our Chamberlain; and Gilbert of Hay, our Constable—Knights. At Loch Leven, the twenty-fifth day of September, in the eighteenth year of our reign.

X.

King Robert I. grants to his burgesses of Aberdeen all privileges granted by his predecessors, freeing them from all exactions outwith the burgh. 6th February
[13²⁹₃₀].

ROBERT, by the grace of God King of Scots, to justiciars, sheriffs, provosts, and their baillies, and to all the rest of his trusty subjects to whom the present letters shall come, greeting. Know ye that we have granted to our burgesses and

omēs libtates consuetudines · et · iura · de · quibꝫ p ꝑdecessores nꝛos · fuerūt infeodati tempibꝫ retroactis · Ita q de prisīs · cariagiis capꝑonibus · attachiamentis · vexaꝑonibꝫ · extꝑ burgū · aut exaꝑonibꝫ aliis quibꝫcumqꝫ nō grauentꝫ ab aliquibꝫ Concessimus etiam eisdem plenariam potestatem · capiendi · incarcerandi · et puniendi omēs illos · qui in dꝑo Burgo nꝛo de Abirden armati incedunt cōtꝫ statuta nꝛa · et specialiꝫ burgorꝫ nꝛorꝫ · Quare firmiꝫ ꝑhibemꝫ · ne quis cōtꝫ hanc concessionem nꝛam · iꝑos vexare ꝑsu-
mat iniuste · Sub pena omniū · que erga nos ꝑotunt amitti · In cuius Rei testimoniū has tras nꝛas sibi fieri fecimꝫ patentes · Apud Geruan in Car-
ryc · Sexto die ꝑfebruarij · Anno Regnꝫ nꝛi vicesimo ꝑtio.

XI.

Robtus dei gꝛa Rex Scottoꝝ · Iusticiarijs vicecomitibꝫ ꝑꝑositis ꝫ eorꝫ balliuis cetisqꝫ fidelibꝫ suis vniꝫsis ad quos ꝑsentes tre ꝑuehnt · Saltm Sciatis q concessimꝫ burgensibꝫ nꝛis et cōitati burgi de Abirden omēs libtates consuetudines et iura de quibꝫ p ꝑdecessores nꝛos fuerūt infeodati

community of the burgh of Aberdeen all the privileges, usages and rights in which they were infest by our predecessors in times past, so that they be not burdened by anyone with rights of carriage, captions, arrestments, annoyances outwith the burgh, or with any imposts whatsoever. We have also granted to the same full power to seize, imprison and punish all those who carry arms in our said burgh of Aberdeen contrary to our statutes, and especially to those of our burgesses. Wherefore we strictly forbid anyone to make bold wrongously to trouble them in despite of this our grant, on pain of all things which can be forfeited to us. In witness whereof we have caused these our letters to be made patent. At Girvan in Carrick, the sixth day of February, in the twenty-third year of our reign.

XI.

King Robert I. grants to his burgesses of Aberdeen all privileges granted by his predecessors, freeing them from all exactions outwith or within the burgh. 10th March [13²⁹].

ROBERT, by the grace of God King of Scots, to justiciars, sheriffs, provosts, and their baillies, and to all the rest of his trusty subjects, to whom the present letters shall come, greeting. Know ye that we have granted to our burgesses and community of the burgh of Aberdeen, all the privileges, usages and rights in which they were infest by our predecessors in times past, so that they be not inconveni-

tempib; retractis · Ita q de prisīs cariagiis capcōnib; attachiamētis vexacionib; ex^a burgū vt infra aut exactionib; alijs qib;cumq; indebitis nō guent ab aliquib; tempe nūdinax vel temp alio · Concessim⁹ eciā eisdem plenariā potestātē capiendi incarcerandi et puniendi omēs illos qui in dēo burgo nō de Abirden armati incedunt cōt̄ statuta n̄ra ī speciali⁹ burgorū nōrū · Quare firmit̄ prohibemus ⁊ ne quis cōt̄ hanc cōcessionē n̄ram ip̄os vexare p̄sumat iniuste sub pena omī q̄ erga nos pot̄unt amitti · In cui⁹ Rei testioniū has tras n̄ras sibi fieri fecimus patentes · Apud Inchemichell in Galwydia · Dcīo die Marcij · Anno Regni n̄ri · Vicesimo t̄tio.

XII.

Dauid dei gr̄a Rex Scottoꝝ · Omib; probis hōib; tocius t̄re sue sal̄m · Sciatis nos concessisse ⁊ ex deliberato consilio nō hac p̄senti carta n̄ra confirmasse burgensib; n̄ris de Abirdene fidelib; n̄ris ⁊ comunitati burgi n̄ri p̄dci omēs lib̄tates consuetudines ⁊ iura de quib; p̄ p̄decessores n̄ros Reges Scocie quoscunq; infeodati fuerunt ⁊ quib; iuste ⁊ scdm

enced by anyone at the time of the fair or at any other time with rights of carriage, captions, arrestments, annoyances outwith or within the burgh, or with any non-leivable imposts whatsoever.' We have also granted to the same full power to seize, imprison and punish all those who carry arms within our burgh of Aberdeen contrary to our statutes, and especially to those of our burgesses. Wherefore we strictly forbid anyone to make bold wrongously to trouble them in despite of this our grant, on pain of all things which can be forfeited to us. In witness whereof we have caused these our letters to be made patent. At Inchmichael in Galloway, the tenth day of March, in the twenty-third year of our reign.

XII.

*King David II. confirms to his burgesses of Aberdeen all the privileges granted by his predecessors. 21st February [134²].**

DAVID, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have granted, and of our deliberate judgment have by our present charter confirmed, to our trusty burgesses of Aberdeen and to the community of our foresaid burgh, all the privileges, usages and rights in which they were infest by our predecessors, Kings of Scotland, whomsoever, and of which they have, rightly and according to the laws of the burghs, availed themselves;

* David II. began to reign 7th June, 1329.

leges burgoꝝ vsi sunt oppressione siue subuersione libtatũ suarũ quas p guerram nr̃am in absencia nr̃o hucusq; passi sunt non obstante ⁊ licet dñi burgenses nr̃i ⁊ comunitas ad instanciam nr̃am vel ex pmissione contra libtates ⁊ iura sua eis ⁊ Regib; Scocie p̃decessorib; nr̃is concessa dampna ⁊ iniurias de facto sint p̃pessi · Volum⁹ tamen q; libtates sue consuetudines ⁊ iura sua sibi ⁊ successorib; suis decet̃o integra pman- eant ⁊ illesa · Quare firmi⁹ phibem⁹ ne quis contra hanc concessionem nr̃am ip̃os vexare grauare seu inquietare p̃sumat sup nr̃am plenariam forisfacturam · In cui⁹ rei testimoniũ p̃senti carte nr̃e sigillum nr̃m p̃cepim⁹ apponi · Testib⁹ Rob̃to Senescallo Scocie Nepote nr̃o Duncano Comite de ffyf Patricio de Dunbarr Comite Marchie · Rob̃to de Keth Marescallo nr̃o Scocie · Malcolmo flemyng⁹ ⁊ Thoma de Carnoto Can- cellario nr̃o Militib; in pleno consilio nr̃o tento · Apud Abirdene vicesimo primo die ffebruaꝛ · Anno regni nr̃i Tercio decimo.

XIII.

Dauid dei gr̃a Rex Scottoꝝ Om̃ib; probis hominib; suis tocius lre sue Sal̃tm · Sciatis q; remisim⁹ ⁊ totalit̃ imp̃petuũ p̃donauim⁹ ac quietum

without prejudice from the oppression or the subversion of their privileges which they have hitherto undergone during our war in our absence. And although our said burgesses and community have in truth suffered losses and injuries at our instance or by our permission contrary to their privileges and rights granted to them by the Kings of Scotland our predecessors; it is, however, our will that their privileges, usages and rights shall henceforth endure for them and their successors undiminished and unimpaired. Wherefore we strictly forbid anyone to make bold in despite of this our grant to trouble or annoy or inconvenience them, on pain of our full forfeiture. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Robert, Steward of Scotland, our nephew; Duncan, Earl of Fife; Patrick of Dunbar, Earl of March; Robert of Keith, our Marischal of Scotland; Malcolm Flemyng; and Thomas of Charteris, our Chancellor—Knights. In our full Council held at Aberdeen the twenty-first day of February, in the thirteenth year of our reign.

XIII.

King David II. remits to the burgesses of Aberdeen all his illwill and grounds of action against them. 1st July [1345].

DAVID, by the grace of God King of Scots, to all his good men of his whole

clamaum⁹ omib⁹ burgensib⁹ ⁊ singlis ac comunitati burgi nr̃i de Abir-
deñ ðem racancorem [sic] animi nr̃i quem erga eosdem ⁊ eoꝝ quemlib^t
habuim⁹ vel h̃ere potim⁹ ex causa seu moçone quacunq⁹ vsq⁹ in diem
confectionis p̃senciũ vna cum omimodis actonib⁹ petiçõib⁹ ⁊ tⁿsgressio-
nib⁹ que eisdem vel eoꝝ alicui ex parte nr̃a aliquali^r obici potunt. Quare
firmit^r phibem⁹ ne quis eisdem burgensib⁹ nr̃is ⁊ comunitati burgi p̃ci
malum molestiam calumpniã iniuriã dampnũ aut g^uamen aliquod inferat
quoquo modo cont^a hanc remissionem p̃donaçoem ⁊ quietãclamaçoem
nr̃am. In cui⁹ rei testimoniũ has t^ras nr̃as sibi fieri fecim⁹ patentes.
Apud Edynburgh p̃mo die Iulij Anno regni nr̃i Septimo decimo.

XIV.

Robertus dei gr̃a Rex Scottoꝝ Omib⁹ p̃bis homib⁹ tocius t^re sue
clericis ⁊ laicis Salutẽ Sciatis nos dedisse concessisse ⁊ hac p̃nti carta nr̃a
confirmasse fidelibus nr̃is burgensib⁹ ⁊ cõitati burgi nr̃i de Abyrden totã

kingdom, greeting. Know ye that we have remitted, and have wholly for all time
given up, and have declared at rest, as concerns all the individual burgesses and
the community of our burgh of Aberdeen, all our illwill which we had or could
have had towards them or any one of them, from any cause or motive whatsoever,
to the date of the completion of these presents; together with all manner of
actions, petitions and charges which could in anyway have been brought at our
instance against them or any one of them. Wherefore we strictly forbid anyone
to inflict on the same our burgesses and community of the foresaid burgh any
hurt, annoyance, misrepresentation, injury, loss or inconvenience, in any manner
whatsoever, in despite of this our remission, pardon and acquittance. In witness
whereof we have caused these our letters to be made patent. At Edinburgh, the
first day of July, in the seventeenth year of our reign.

XIV.

*King Robert II. grants to his burgesses of Aberdeen in fee and heritage, in free
burgage, the land of Rubislaw resigned by Andrew de Inchesthur. 20th
August [1379].**

ROBERT, by the grace of God King of Scots, to all good men of his whole
land, churchmen and laymen, greeting. Know ye that we have given, granted,
and by this our present charter confirmed, to our trusty burgesses and community

* Robert II. began to reign 22nd February, 1371.

Ūrā tenementi de Rubbyslaw cū ptinenciis iacentē iux' burgū nrm de Abren que fuit Andree de Inchēthur in libo tenemento ⁊ quā idm Andreas nō vi aut metu · ductus n̄ erroꝝ lapsus S; mera ⁊ spontanea voluntate sua nobis p fustū ⁊ baculū sursum reddidit purq; ⁊ simpliciter resignavit ac totū ius ⁊ clameū que in dicta terra cū ptinenciis habuit vel habere potuit p se ⁊ heredib; suis ōnio q'et' clamavit in ppetuū Tenend ⁊ habend eisdem burgensibus ⁊ cōitati ac eorū heredib; ⁊ Successoribus de nobis ⁊ heredibus nris in feodo ⁊ hereditate in libo burgagio p omes rectas metas ⁊ diuisas suas cū omibus ⁊ singulis libtatib; cōmoditatib; aysiamētis ⁊ iustis ptinenciis suis q'buscunq; ad dēam ūrā sp̄tantib; seu quoq; modo iuste sp̄taꝝ valentib; in futur' adeo libe ⁊ quiete plenarie integꝝ ⁊ honorifice in omib; ⁊ p omia Sicut p̄dcti burgenses nri p̄dctm burgū nrm de Abden de nobis ⁊ heredibus nris libius q'etius pleniꝝ integꝝ ⁊ honorificenciꝝ possident atq; tenent ffaciendo inde ānuatim vnā sectā ad ū camlarie nre infra burgū de Abden Et Reddendo inde nobis ⁊ heredibus nris ānuatim in camla nra p̄dicti burgenses nri ⁊ heredes sui ⁊ successores vnū denariū argenti nōie ānui redditus ad quodlib; festū Pentecost · si petat' p omibus alijs fuicijs

of our burgh of Aberdeen, the whole land of the tenement of Rubislaw, with the pertinents, lying beside our burgh of Aberdeen, which belonged to Andrew de Inchesthur in free tenement, and which the said Andrew, not influenced by force or fear, nor led astray by error, but of his own accord and free will, rendered up to us by staff and baton, and purely and simply resigned; and for himself and his heirs wholly renounced for all time all right and interest which he had or could have in the said land with the pertinents. To be held and had by the said burgesses and community and their heirs and successors, of us and our heirs, in fee and heritage in free burgage, by all their right meiths and marches, with all and sundry privileges, conveniences, easements, and their just pertinents whatsoever belonging or which shall in any way in the future justly belong to the said land, as freely and quietly, fully, wholly and honourably, in all and through all, as our foresaid burgesses possess and hold our foresaid burgh of Aberdeen of us and our heirs freely, quietly, fully, wholly and honourably. Making therefor yearly a suit to the chamberlain ayre * within the burgh of Aberdeen, and paying therefor to us and to our heirs yearly in our treasury the foresaid our burgesses and their heirs and successors one silver penny in name of annual rent, at every feast of

* An itinerant court of justice. See the *Ancient Laws and Customs of the Burghs of Scotland*, Vol. I., p. 132.

exaciōibus seu demandis inde nobis ⁊ heredibus nris. aliq^ulū faciend. In Cur^a Rei Testionū pñti carte nre nrm pcepim⁹ apponi Sigillū. Testibus Venēabilib; in xpō pñibus Wifmo ⁊ Iohane cancellario nro Scti andree ⁊ Dunkeldeñ eccliaꝝ Epis. Iohne p'mogenito nro de Carr^e Senesē Scocie. Robto de ffyfe ⁊ de Meneteth filio nro ditco. Wifmo de douglas ⁊ de Marr consang'nio nro comitibus. Iacobo de Lyndesay nepote nro carissimo ⁊ Aleño de Lyndesay consang'nio nro militibus. Apud Kyn-drocht in Marr Vicesimo die mensis Augusti. Anno Regni nri Nono.

XV.

Robertus dei gr̃tia Rēx Scottorum Omnibus probis hominibus tocius tre sue clericis et laicis Salū. Sciatis nos dedisse concessisse et hac pñtenti carta nostra confirmasse burgensibus ⁊ comunitati burgi de Abbir-dene licenciam nram specialem faciendi construendi et edificandi vnam domum pro pñtorio suo cum solariis et selariis de longitudine octoginta pedum et triginta pedum in latitudine. vbicumq; sibi melius placuerit

Pentecost, if it be asked for, in place of all other services, exactions or demands in any way to be made thereupon by us or by our heirs. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: The venerable fathers in Christ, William and John, our Chancellor, Bishops of the churches of St. Andrews and Dunkeld; John, our eldest born, Earl of Carrick, Steward of Scotland; Robert, Earl of Fife and Menteith, our beloved son; William, Earl of Douglas and Mar, our cousin; James of Lindesay, our dearest nephew; and Alexander of Lindesay, our cousin—Knights. At Kindrocht in Mar, the twentieth day of the month of August, in the ninth year of our reign.

XV.

King Robert III. grants licence to the burgesses of Aberdeen to build a townhouse.
20th October [1393].*

ROBERT, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we have given, granted, and by this our present charter confirmed, to the burgesses and community of the burgh of Aberdeen, our special licence to make, construct and erect a building to serve as their townhouse, with upper and under floors, eighty feet in length and thirty feet in breadth, wherever within the said burgh shall seem best to them;

* Robert III. began to reign 19th April, 1390.

infra · dictum burgum medio fori eiusdem burgi dūtaxat excepto · Tenend et habend dictam domū p̄torij cum solariis et selariis suis ac p̄tinentiis vniūsis d̄tis burgensibus ⁊ comunitati ac eorū successorib; imp̄petuū in feodo ⁊ hereditate de nobis et heredibus n̄ris libe quiete plenarie integre et honorifice bene et in pace · In Cuius Rei testimoniū p̄tī cartē Sigillum n̄rm p̄cepimus apponi · Testibus Ven̄abilibus in x̄po patribus Waltero et Matheo Sancti Andree et Glasguen; ecclesiar; episcopis · Roberto Comite de ffyf ⁊ de meneteth fratre n̄ro carissimo · Archebaldo comite de Douglas domino Galwidie · Jacobo de douglas domino de Dalketh · thoma de Erskine consan̄gneis n̄ris dilētis · militibus · Et Alexandro de Cocburn de langtoñ custode magni Sigilli n̄ri · Apud Perth · vicesimo die mensis Octobr · Anno Regni nostri Quarto.

XVI.

Jacobus dei gr̄a Rex scottorum Om̄ibus hominib; clericis et laicis Regni nostri notum facimus nos auctoꝛe nostra Regia teneri et tenore p̄cium

excepting only the midst of the market place of the same burgh. To be held and had the said building of the townhouse with upper and under floors by the said burgesses and community and their successors for ever in fee and heritage, of us and our heirs, freely, quietly, fully, wholly and honourably, well and in peace. In witness whereof we have ordered our seal to be appended to the present charter. Witnesses: The venerable fathers in Christ, Walter and Matthew, Bishops of the churches of Saint Andrews and Glasgow; Robert, Earl of Fife and Menteith, our dearest brother; Archibald, Earl of Douglas, Lord of Galloway; James of Douglas, Lord of Dalkeith; Thomas of Erskine, our beloved cousins—Knights; and Alexander of Cocburn of Langton, Keeper of our Great Seal. At Perth, the twentieth day of the month of October, in the fourth year of our reign.

XVI.

King James I. binds himself to keep the burghs of Edinburgh, Perth, Dundee and Aberdeen scathless of the payment of 50,000 merks undertaken by them for his ransom. 26th March, 1424.†*

JAMES, by the grace of God King of Scots, to all men of our kingdom, churchmen and laymen, we make known, that we by our royal authority are held, and by the

* See the Bond entered into by the Four Burghs, of date 16th February, 1423, *postea*.

† James I. began to reign 4th April, 1406.

firmiter et fideliter obligari dilectis ⁊ fidelib; nris burgensib; videliç
 ppōitis ⁊ balliuis et comunitatib; quatuor burgorum regni nři predti
 S de Edinburgh Perth Dundee ⁊ Abirden ac eorum heredib; ⁊ succes-
 sorib; ad obfuand ipsos ⁊ hedes suos ⁊ successores ⁊ eorum quemlib
 indempnē seu indempnēs de soluōne quiquaginta millium marcaꝝ pro
 qua sumā Soluenda serenissimo primari henrico Regi Anglie pro ūra
 liberaōne predti ppōiti ⁊ cōitates ⁊ balliui quatuor burgoꝝ ad mandatum
 nostrum sunt litteratorie obligati ad terminos inde concordatos. Et ad
 hoc faciendū ut premissum ē sine excepōe reuocatōe aut impedimēto
 quibuscūq. Obligamus nos auctoritate nře regie magestatis heredes nros
 et successores Reges scocie firmiter ⁊ sine fraude pñciū p tenorem
 Insup promittim⁹ ⁊ curabim⁹ nos facere omēs et singlos ppōitos et
 balliuos ac cōitates ceteroꝝ burgoꝝ regni nostri se heredes suos ⁊ suc-
 cessores sub suis cōib; sigillis obligare in forma sufficienti prepōitis et
 balliuis dītoꝝ quatuor burgorum ad assistend⁹ ⁊ adherendum eisđ in solu-
 tōe dte sumē peñie in casum et euentum quib; pro ea distringantur
 siue eā soluāt in toto ⁊ in pte et ad participādū et contribuend⁹ cum eisđ
 iuxta vires in omī onere tā occasione pñcipat soluōis prefate sumē

tenor of these presents are firmly and faithfully bound to our beloved and trusty
 burgesses, to wit, to the provosts and baillies and communities of the Four Burghs
 of our kingdom aforesaid, that is to say, of Edinburgh, Perth, Dundee and Aber-
 deen, and their heirs and successors, to keep them and their heirs and successors,
 and any one thereof, scathless of the payment of fifty thousand merks; for the pay-
 ment of which sum to the most illustrious Prince Henry, King of England, for
 our ransom, the foresaid provosts and communities and baillies of our Four Burghs
 were at our command bound by writ at the terms therein agreed. And for the
 performance of this as before set forth, without exception, revocation or imped-
 iment whatsoever, by the authority of our Royal Majesty, we bind ourselves, our
 heirs and successors Kings of Scotland, firmly and without fraud by the tenor of
 these presents. Moreover we promise and will undertake to cause all and sundry
 the provosts and baillies and communities of the rest of the burghs of our king-
 dom to bind themselves, their heirs and successors, under their common seals in
 sufficient form, to the provosts and baillies of the said four burghs, to assist and
 adhere to them in payment of the said sum of money in the case and event of
 their being distrained therefor, or of their paying it in whole or part; and to share
 and contribute with them according to their ability in every burden, as well in the
 event of the principal payment of the said sum not being made, as of the charges

peñnie nō solute q^a sūptuū et exēnsaꝝ circa factum huioi obligaçois iam factoꝝ ⁊ imposterum fiendoꝝ · In Cuius rei testimonium sigillum nrm pñtibꝫ iussimus apponi ap^d dūelmiā xxvj die mēs^o marci Anno dñi millesimo quadragētessimo vicesimo quarto et Regni nostri xviii^o.

XVII.

Jacobus dei gratia Rex Scotorum omnibus probis hominibus suis ad quos pñtes tre pueñlunt salutem Sciatis q de avisamento et deliberaci^o Consilii nri concessimus supsedere de Custumis quibuscūqꝫ pñpiendis de bonis Anglicorum aliquibꝫ in hoc Regno nro viz · ad burgum nrm de perth Et ab hinc in omnibus partibus borialibꝫ Regni nri predicti importandis exceptis solūmodo Custumis pannorum et de qualibet celdra victualiū triginta duobꝫ denariis et de Cado salmonū duobꝫ solidē Et q omnes ligii nostri de partibus predictis viz. de perth et ab hinc ad fines boriales Regni nri supradicti de omnibus Custumis quorūcūqꝫ bonorum Anglicorum psoluendē Necnō et de Custumis pisciū vbiqꝫ locoꝝ

and expenses incurred concerning the making of this obligation, both those already made and those afterwards to be incurred. In witness whereof we have ordered our seal to be appended to these presents at Durham, the twenty-sixth day of the month of March, in the year of our Lord one thousand four hundred and twenty-four, and of our reign the eighteenth.

XVII.

*King James II. abolishes all customs on English goods imported at Perth or Northward therefrom, except on cloths, victuals and salmon. 30th July [1446].**

JAMES, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that by the advice and recommendation of our Council we have granted the abolition of customs whatsoever levied on any goods of Englishmen in this our kingdom, namely, goods imported at our burgh of Perth and thence in all the Northern parts of our kingdom aforesaid,—excepting only the customs on cloths, and on every chalder of victuals thirty-two pence, and on the barrel of salmon two shillings,—and that all our lieges of the parts aforesaid, namely, of Perth and thence to the Northern limits of our kingdom aforesaid, shall be free and exempt from all customs payable on any English goods whatsoever, as well as from customs on fish in any places

* James II. began to reign 20th February, 1437.

infra Regnū nrm predictum liberi sint et exempti hac nra concessione vsq; ad nostram etatem viginti vnus ānorum Et deinde ad nram voluntatem absq; preiudicio nri et mercatorū ligiorumq; nostrorum predictorū duratur' Et hoc omnib; quorū intest vel intesse potit in futurum notificamus p pntes Dať sub magno Sigillo nro Apud Edinburgh die pēultimo mensis Julij Anno Regni nri decimo.

XVIII.

Jacobus dei grā Rex scotorū Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos p sing'larī fauore quem gerim⁹ erga dilectos nros mercatores burgenses et cōmunitatem burgi nri de Aberdene et pro suis gratuitis fuiciis nobis hactenus multiplici⁹ impens; dedisse concessisse et hac pnti carta nra confirmasse p nobis nrisq; heredibus et successoribus p ppetuo prefatis burgensibus et cōmunitati burgi nri de Aberdene eorūq; heredibus et successoribus burgensibus eiusdē burgi vt ipi ppetuis futuris temporibus liberi absoluti ⁊ quieti sint ab omī Soluōne custume salis et pelliū subsēptarū wlgari⁹ dictarū skorlinge skaldinge futefell lentnwar lambskynns todskynns calf-

within our kingdom aforesaid. This our grant to remain in force till we reach the age of twenty-one years, and thenceforward at our pleasure, without prejudice to us and to our merchants and lieges aforesaid. And this we make known by these presents to all whom it concerns, or may concern in time to come. Given under our great seal at Edinburgh, the thirtieth day of the month of July, in the tenth year of our reign.

XVIII.

King James II. relieves his merchants and burgesses of Aberdeen of all customs on salt and skins. 6th December, 1452.

JAMES, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we, for the singular favour that we bear to our beloved merchants, burgesses, and community of our burgh of Aberdeen, and in return for their manifold gratuitous services done to us heretofore, have given, granted, and by this our present charter confirmed, for us and for our heirs and successors for ever, to the foresaid burgesses and community of our burgh of Aberdeen and to their heirs and successors, burgesses of the same burgh, that they be in all time coming free, discharged and quit of all payment of custom on salt and on the skins underwritten, commonly called skorlings, skaldings, futefell,

skynnys cunyngskynnys ottirskynnys et fountartskynnys Et mercatores ac burgenses de Aberdene eorūq heredes et successores dicti burgi burgenses de soluōne dicte Custume salis et pelliū predictarū absoluim⁹ exoneramus ⁊ quittos clamam⁹ p nobis et nris successoribus p ppetuo ptea volum⁹ ac p nobis et nris successoribus concessimus dictis burgensibus et cōmunitati de Aberdene liberā potestātē atq facultātē vendendi mercandizandi vel in excambiū aut alī pmutandi tam extraneis psonis et non liberis q⁹ quibuscūq aliis psonis ⁊ tam infra nrm Regnū q⁹ extra mercimonia pdicta Salis et pelliū absq quacūq custuma per ipos extraneos aut alios quoscūq quibuscūq futurē temporibus persoluend Ita q de dictis sale ⁊ pellibus per ipos extraneos a nris burgensibus supdictis emptē seu acquisitē Custuma nullatenus psoluetur Nisi tantū pua Custuma per ipos extraneos et non liberos dictis burgēsibus et cōmunitati de dictis sale et pellibus Retroactis temporibus hactenus debita et psolui consueta Quare

lentrinware,* lamb skins, tod † skins, calf skins, cunying ‡ skins, otter skins, and fountart § skins. And the merchants and burgesses of Aberdeen and their heirs and successors burgesses of the said burgh, we, for us and for our successors for ever, discharge, release, and declare free from payment of the said custom on salt and on the foresaid skins. Further we will, and, for us and for our successors, we have granted to the said burgesses and community of Aberdeen free power and privilege to sell, buy, or exchange in barter or otherwise, as well with strangers and unfreemen, as with other persons whatsoever, and as well within our kingdom as without, the foresaid merchandise of salt and skins without the payment of any custom by the said strangers or by any others whatsoever in all time to come; so that on the said salt and skins bought or acquired by the said strangers from our foresaid burgesses no custom shall be paid, saving only the petty custom on the said salt and skins heretofore due and wont to be paid in time past by the said strangers and unfreemen to the said burgesses and community. Wherefore we

* *Skorling, Schoirling.* The skin of a shorn sheep.

Scalding, Skalding. A species of dressed skin formerly exported from Scotland . . .

Qu... if as having the wool taken off by *scalding*.

Futfaill, Futfell, Fitfeal. A species of dressed skin formerly exported from Scotland.

. . . *Footfalls*, I am informed, are the skins of those lambs that have died soon after they were dropped—perhaps *q. fallen* at the dam's *foot*.

Lentrinware. The name of a kind of skins; those of lambs that have died soon after being dropped; still called *Lentrins*; *q.* those that have died in *Lentron* or *Spring*.—*Jamieson's Etymological Dictionary.*

† Fox.

‡ Rabbit.

§ Polecat.

vn̄sis et singulis quorū int̄est vel int̄ee pot̄it stricte ꝑcipiēdo mādamus quatenus in contrariū dicte n̄re donaçonis exoneraçonis et quitclamaçois nullatenus deuenire ꝑsumāt seu eorū aliquis deuēire ꝑsumat sub om̄i pena quam erga n̄ram Regiā incurrere pot̄int seu pot̄it maiestatē In cui⁹ Rei testiōm ꝑntibus n̄ris iris ꝑ ꝑpetuo duraturis n̄rm magnū Sigillum apponi ꝑcepimus Testibus Relendo in c̄sto ꝑre Wiſſmo eꝑo glasgueñ Wiſſmo d̄no Creichtoune n̄ro Cancellario et consanguineo predilecto dilectis consanguineis n̄ris Andrea d̄no le gray maꝑro hospicii n̄ri Wiſſmo d̄no Som̄vile Alexādro de Narne de Sandfurde n̄rorū Compotorū Rotulatore et maꝑro georgio de Schoriswod Cancellario dunkeldeñ clico n̄ro apud Striueſyne sexto die men̄s decembris Anno Dñi millesimo quadringentesimo quinquagesimo secundo Et Regni nostri decimo sexto.

XIX.

Jacobus dei gratia Rex Scotorum Om̄ibus probis hōinibus tocius terre sue clericis ⁊ laicis salutem Quia dilecti n̄ri burgenses et cōmunitas burgi n̄ri de Aberdene suiꝑ heredes ⁊ successores infeodati fuerunt hereditarie

strictly enjoin all and sundry whom it does or may concern that neither they nor any of them make bold in any degree to contravene our said gift, release and acquittance, under every penalty that they conjointly or severally can incur to our Royal Majesty. In witness whereof we have ordered our great seal to be appended to our present letters to remain in force for ever. Witnesses : The reverend father in Christ, William, Bishop of Glasgow ; William, Lord Creichtoune, our Chancellor, and well-beloved cousin ; our beloved cousins, Andrew, Lord le Gray, Master of our Household ; William, Lord Somerville ; Alexander of Narne of Sandfurde, our Comptroller ; and Master George of Schoriswod, Chancellor of Dunkeld, our Clerk. At Stirling, the sixth day of the month of December in the year of our Lord one thousand four hundred and fifty-two, and of our reign the sixteenth.

XIX.

King James II. alters the beginning of the Aberdeen fair to the feast of St. Michael de Monte Tumba (16th October). 26th March, 1458.

JAMES, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Whereas our beloved burgesses and community of our burgh of Aberdeen, and their heirs and successors, were heritably infest by

per illustrissimū principem Robertum Regem scotorum predicesorem nrm̄ aliosq, nros antecessores de nūdinis publicis i festo sancte trinitatis a die dñca qua cantatur quasi modo genitj et per vnam quidenam sequē plenarie ⁊ contie duratū Nos igitur in fauorem dictorum burgensiū ⁊ inhabitantiū dictum burgū mutauimus et per pñtes mutamus detencionē nūdinax predictarum a dicto tempore ad festum beati michaelis de monte tumba ⁊ tūc inchoand ⁊ tenend ānuatim ⁊ deinde cōtinuand ⁊ duratū per vnam quidenam plene ⁊ cōtinue ac imediate sequē adeo libere quiete bene ⁊ in pace sicut dicti burgēs dictas nūdinas in dicto festo sancte trinitatis temporibus retroactis liberius tenuerunt seu possederunt Quare vniūsis ⁊ singulis ligiis ⁊ subditis nris stricte precipiendo mādamus ne quis in contrariū detenōnis ⁊ ifeodaōnis nūdinarū predictarum quicq̄m attemptare presumat temporibus profuturis sub omī pena que competere potit i hac parte Dā sub magno sigillo nro apud Edinburgh vicesimo sexto die mēs⁹ marcii Anno domini millesimo quadringētesimo quīquagesimo octauo Et Regni nostri vicesimo secundo.

the most illustrious Prince, Robert, King of Scots, our predecessor, and by others our ancestors, in a public fair on the feast of the Holy Trinity, from the Sunday on which "*Quasi modo geniti*" is sung* and for the space of a fortnight thereafter, to continue fully and without break: We, therefore, from favour to the said burgesses and dwellers in the said burgh, have changed, and by these presents do change, the time of holding of the foresaid fair from the said time to the feast of St. Michael de Monte Tumba, to begin and be held yearly on that day, and thereafter to continue and last for the space of a fortnight fully and without break and following immediately thereon, as freely, quietly, well and in peace, as the said burgesses freely held and possessed the said fair on the said feast of the Holy Trinity in times past. Wherefore we strictly enjoin all and sundry our lieges and subjects not to make bold in times to come to attempt anything in opposition to the tenure and infestment of the foresaid fair, under every penalty competent in the circumstances. Given under our great seal at Edinburgh, the twenty-sixth day of the month of March in the year of our Lord one thousand four hundred and fifty-eight, and of our reign the twenty-second.

* Some confusion appears here between the provisions of Alexander III.'s Charter of 2nd December, 1273, and those of Robert I.'s Charter of 8th December, 1319—q.v. pp. 8, 11.

XX.

Jacobus dei gratia Rex scotorum Vniuersis et singulis ligiis et subditis nris ad quorum noticias pntes tre puenint salutem Quia Intelleximus q burgenses et mercatores burgi nri de Abirdene q magna dampna et incōmoda hactenus perpassi sunt ob exportaçonē lane pellium et corriorum extra vicecomitatum nrm de Abirdene In contrariū priuelegiorum et libtatis dictorum burgensium in fraudem nre magne Custume dñi burgi Nos Igitur attendē et perpendē infrictionē dicte libertatis et hmoð dampna nra et dictorum nroꝝ burgēsiū Cōmisimus et pntiū tenore cōmittim⁹ prepōito balliuis et burgensibus dicti burgi nri qui pro tempore fuerint eorumq deputatis liberam facultatem et plenariā potestatē eschaetandi et ad vsum nostrum appropriandi capiendi hmoði bona lanas pelles coria sic extra dictum vicecomitatum et libertatē dicti burgi abducta seu Imposterum forsità abducenda absq solucoe nre custume De quibusquid bonis eschaetatē cōcessimus et pntiū tenore concedimus dictis burgensibus burgi nri de Abirdene dimedietatē eschaete eorund

XX.

King James II. empowers the provost, baillies, and burgesses of Aberdeen to escheat wool, skins, and hides exported outwith the sheriffdom of Aberdeen without payment of the great custom. 9th October, 1458.

JAMES, by the grace of God King of Scots, to all and sundry our lieges and subjects to whose knowledge the present letters shall come, greeting. Whereas we have understood that the burgesses and merchants of our burgh of Aberdeen have heretofore sustained very great losses and inconveniences on account of the exportation of wool, skins and hides outwith our sheriffdom of Aberdeen, in despite of the privileges and liberty of the said burgesses, to the detriment of our great custom of the said burgh: We therefore, giving heed to and weighing well the violation of the said liberty and the consequent losses to ourselves and our said burgesses, have entrusted, and by the tenor of these presents do entrust, to the provost, baillies and burgesses of our said burgh for the time being, and to their deputies, free privilege and full power to escheat and to appropriate and take for our own use such goods, wools, skins, hides, as have been thus taken, or shall in time to come chance to be taken, outwith the said sheriffdom and freedom of the said burgh, without payment of our custom. From which escheated goods we have granted, and by the tenor of these presents do grant, to the said burgesses of our burgh of Aberdeen, half the escheat thereof, in return for their

pro eorum laboribus sumptibus ⁊ expens^o faciendis circa eorum eschaetacionem Aliam vero dimedietatē dōe eschaete ad nos importare ⁊ de eisdem bonis ānuatim in nōo scaccario compotum reddere tenebuntur p̄pōit^o et balliui burgi supradīti Quo circa Vniuersis et singulis ligiis et subditis nōis quorum Intest vel intesse poterit stricte precipiendo mandamus q̄tus dictis prepōito balliuis et burgensibus dōe burgi eorumq; ministris et futoribus in om̄ibus et singulis eschaetacionē dictorum bonorum concernētib; ⁊ deportacionem eorund ad vsus nōos vt premittitur prompte fūdeant pareant ⁊ Intendant ⁊ q in contrariū presentium nullatenus deuenire presumant tēporibus profuturis sub om̄i pena que competere potit In hac pte pntibus p nōa volūtate durature Datum sub magno sigillo nōo apud Edinburgh nono die mēs; Octobrē Anno Dñi millesimo quadringentesimo quiquagesimo octauo Et Regnj nōi vicesimo sc̄do.

XXI.

Jacobus dei gratia Rex Scotorum omnibus probis hominibus tocūs

trouble, charges and outlays incurred in connection with their escheating. But the other half of the said escheat the provost and baillies of the burgh aforesaid shall be bound to hand over to us, and yearly to render account of the same goods to our treasury. Wherefore we strictly enjoin all and sundry our lieges and subjects whom it does or may concern, promptly to answer, obey and attend to the said provost, baillies and burgesses of the said burgh and their officers and servants in all and sundry matters affecting the escheating of the said goods and the handing over thereof to our uses, as aforesaid; and not to make bold in any degree to contravene these presents in time to come, under every penalty competent in the circumstances. These presents to remain in force during our pleasure. Given under our great seal at Edinburgh, the ninth day of the month of October in the year of our Lord one thousand four hundred and fifty-eight, and of our reign the twenty-second.

XXI.

King James III. grants to his provost, baillies, councillors, and community of Aberdeen in fee and heritage the lands of Cruives resigned by John Banner-man of Elsie. 26th October, 1465.

JAMES, by the grace of God King of Scots, to all good men of his whole king-

terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac p̄nti carta n̄ra confirmasse dilectis nostris preposito balliuis consulibus et cōmunitati burgi nostri de Aberdene n̄ras de Crwuys cum pertinēciis jacent̄ infra vicecomitatum nostrum de Aberdene Quequid terre cum pertinenciis fuerunt dilecti nostri Iohannis Bannyrman de Alesike hereditarie Et quas idem Iohannes non vi aut metu ductus nec errore lapsus set sua mera et spontanea voluntate in manus n̄ras apud Striueline coram subscriptis testibus per fustem et baculum ac suos procuratores ad hoc legitime constitutos sursum reddidit pureq, simpliciter resignavit Ac totum jus et clameum que in dictis terris cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quiffclamavit imperpetuum Tenend et habend dictas terras de Cruvis cum pertinenciis dictis prepoito balliuis consulibus et cōmunitati dicti burgi de Aberdene et eorum successoribus p̄pōitis consulibus et cōmunitatibus eiusdem burgi p̄petuis futuris temporibus de nobis heredibus et successoribus n̄ris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine Cum omnibus et singulis libertatibus cōmoditatibus et asiamētis ac justis pertinenciis quibus-

dom, churchmen and laymen, greeting. Know ye that we have given, granted, and by this our present charter confirmed, to our beloved provost, baillies, councillors and community of our burgh of Aberdeen the lands of Cruives with the pertinents lying within our sheriffdom of Aberdeen: Which lands with the pertinents belonged in heritage to our beloved John Bannerman of Elsie; and which the same John, not influenced by force or fear, nor led astray by error, but of his own accord and free will, did, by staff and baton and by his procurators, lawfully constituted therefor, give up and purely and simply resign into our hands at Stirling in presence of the witnesses underwritten; and did for himself and his heirs wholly renounce for ever all right and interest that he had or could have in the said lands with the pertinents. To be held and had the said lands of Cruives, with the said pertinents, by the said provost, baillies, councillors and community of the said burgh of Aberdeen and their successors, provosts, councillors and communities of the same burgh, in all time to come, of us, our heirs and successors in fee and heritage for ever, by all their true ancient meiths and marches, as they lie in length and in breadth, with all and sundry privileges, conveniences and easements and just pertinents whatsoever, as well not named as named, belonging, or which may in future in any manner justly belong, to the

cūq; tam non nominatis q; nomiatis ad dictas ūras cum pertinēciis spectantibus seu quouismodo juste spectare valentibus in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Iohānes aut predicesores sui predictas ūras cum pertinenciis de nobis aut predicesoribus ūris ante dictam resignaſionem nobis inde factam liberius tenuit seu possedit tenuerunt seu possederunt Refuatis nobis et successoribus ūris ūicilis oneribus vtilitatib; et emolumentis de dictis terris ante ditam resignaſionem debitis et consuetis In cuius Rei testimoniū pnti carte ūre magnū Sigillum nostrum apponi precepimus Testibus Reuerendis in cīsto patribus Andrea ēpo glasgueſi Thoma ēpo Aberdoneſi dilectis consanguineis ūris Andrea dno Avandale cancellario ūro colino comite de ergile domino cambell maġro hospicii ūri gilberto domino kennedy Iohanne domino Dernle Alexandro boide de drumcoll Iohanne de culquhone de eodem ūrorum compotorum Rotulatore militibus magistrē Dauid de guthre de kincaldrum thesaurario ūro et Archibaldo quhitelaw Archidiacono morauieſi Secretario ūro apud Striueline vicesimo sexto die mense Octobris Anno domini millesimo quadringentesimo sexagesimo quinto Et Regni nostri Sexto.

said lands with the pertinents ; and as freely, quietly, fully, wholly, honourably, well and in peace, in all and through all, as the said John or his predecessors freely held or possessed the foresaid lands with the pertinents of us and our predecessors before the said resignation made thereon to us. Reserving to us and to our successors the services, burdens, advantages, and emoluments due and customary from the said lands before the said resignation. In witness whereof we have ordered our great seal to be appended to our present charter. Witnesses : The reverend fathers in Christ, Andrew, Bishop of Glasgow ; Thomas, Bishop of Aberdeen ; our beloved cousins, Andrew, Lord Avandale, our Chancellor ; Colin, Earl of Argyle, Lord Campbell, Master of our Household ; Gilbert, Lord Kennedy ; John, Lord Dernle ; Alexander Boide of Drumcoll, John of Colquhon of that ilk, our Comptroller, Knights ; Master David of Guthrie of Kincaldrum, our Treasurer ; and Archibald Whitelaw, Archdeacon of Moray, our Secretary. At Stirling, the twenty-sixth day of the month of October in the year of our Lord one thousand four hundred and sixty-five, and of our reign the sixth.

XXII.

Iacobus dei gratia Rex Scotorum Omnibus probis hominibus totius terre sue Clericis et laicis salutem Noueritis q pro singulari fauore amore et affectione quos et quam habemus erga dilectos et fideles nostros prepositum balliuos consules et comitatem burgi nostri de Abirdene et pro suis gratuitis seruiciis temporibus exactis nobis exhibitis et impensis Ex ausamento et deliberatione nostri concilii dedimus concessimus et confirmauimus ac pntis carte nostre tenore damus concedimus et confirmamus eisdem prepōito balliuis consulibus et burgensibus dicti burgi et eorum successoribus libertatem eiusdem burgi habentibus et habituris vt ipi et successores sui predicti liberi fuit pro perpetuo et quitti de omni solucione customarum salmonum de dicto burgo exeuncium et captorum in aquis de done et dee eisdem liberis burgensibus pertinenciū et pertinere valencium qualitercūq in futurum Saluis et exceptis nobis et successoribus nostris customis salmonū per extraneos ac ligeos nostros libertatem eiusdem burgi non habentes de dicto burgo carcand et habend prius nobis debitis et consuetis Tenendas et habendas dictas customas salmo-

XXII.

King James III. relieves his provost, baillies, councillors, and community of Aberdeen of all customs on salmon caught in Dee or Don save those payable by strangers and unfreemen. 14th December, 1482.

JAMES, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that for the singular favour, love and affection which we have towards our beloved and trusty provost, baillies, councillors and community of our burgh of Aberdeen, and in return for their gratuitous services rendered and devoted to us in times past, we have, with the advice and recommendation of our Council, given, granted and confirmed, and, by the tenor of our present charter, do give, grant and confirm to the same provost, baillies, councillors and burgesses of the said burgh, and to their successors having and to have the freedom of the same burgh, that they and their foresaid successors shall be forever free and quit of all payment of customs on salmon exported from the said burgh and caught in the waters of Don and Dee, belonging, or which shall in future in any manner belong, to the same free burgesses. Saving and excepting for us and for our successors the customs formerly due and customary to us on salmon leased and held from the said burgh by strangers and by our lieges not having the freedom of the said burgh. To be held and had the said free customs on salmon by the foresaid

num liberas prefatis preposito balliuis et burgensibus liberis dicti burgi de Abirdene et eorum successoribus predictis de nobis et successoribus nris in feodo et hereditate imperpetuum Libere quiete honorifice integre bene et in pace sine Reuocacione quacunq; aut contradictione aliquali nostri aut successorum nostrorum exceptis prius exceptis quouismodo inde faciendū in futurum De quibusquidē custumis omnibus salmonū predictorum exceptis prius exceptis custumarios nostros dicti burgi ac nostros Receptores compotorum Rotulatores scaccariorum et compotorum auditores ac ceteros officarios nostros pntes et futuros pro nobis et successoribus nostris exonerauimus et tenore pntis carte nostre exonerauimus pro perpetuo In cuius Rei testimoniū pnti carte nostre magnum sigillum nostrum apponi precepimus Testibus Reuerendis in cristo patribus Iohanne Epō glasgueñ cancellario nostro Jacobo Epō Dūkeldeñ Andrea electo morauieñ nostri secreti sigilli custode Dilectis auūculis nostris Iohanne comite atholie Dño de baluany Jacobo comite buchanie Dño de ouchtirhouß magno camerario nostro venerabili in cristo patre archibaldo abbate monasterii nostri sancte crucis de Edinburgh thesaurario nostro Dilectis consanguineis nostris thoma Dño Erskin Wifmo Dño borthwik alano Dño cathkert dilectis clericis nostris magistris archibaldo quhitelaw archidiacono laudonie secretario nostro et patricio

provost, baillies and free burgesses of the said burgh of Aberdeen and by their foresaid successors, of us and our successors in fee and heritage for ever, freely, quietly, honourably, wholly, well and in peace, without any revocation or challenge whatsoever to be made thereupon in any way in time to come by us or by our successors, except as before excepted. From all which customs on salmon aforesaid, except as before excepted, we have for us and for our successors discharged, and by the tenor of our present charter do for ever discharge, our custumars of the said burgh, and our receivers, comptrollers and auditors of exchequer and accounts and our remaining officials present and to come. In witness whereof we have ordered our great seal to be appended to our present charter. Witnesses : The reverend fathers in Christ, John, Bishop of Glasgow, our Chancellor ; James, Bishop of Dunkeld ; Andrew, elect of Moray, Keeper of our Privy Seal ; our beloved uncles, John, Earl of Athole, Lord of Balvany, James, Earl of Buchan, Lord of Ouchtirhouse, our High Chamberlain ; the venerable father in Christ, Archibald, Abbot of our Monastery of Holyrood in Edinburgh, our Treasurer ; our beloved cousins, Thomas, Lord Erskine, William, Lord Bothwick, Alan, Lord Cathkert ; our beloved clerks, Masters Archibald Whitelaw, Archdeacon of Lothian, our Secretary, and

leiche canonico glasgweñ clerico nostrorum Rotulatorum et Registri apud Edinburgh decimo die mensis Decembris Anno Dñi millesimo quadringentesimo octuagesimo secūdo Et Regni nostri vicesimo tertio.

XXIII.

Iacobus dei gracie Rex scotorum Omnibus Probis hominibus suis ad quos pñtes ire peruehñt Salutem Sciatis Nos quodd̃ actum siue decretum per dominos nr̃i consilii inferius descriptos datum et promulgatum vtiq̃ intellexisse sub hac forma

At Edinburgh the xix day of Iunij The yere of god īīīīj^c lxxxxīīīj zeris The lordis of counsale vnderwritin that is to say a maist reuerend and reuerend faderis in god robert archibischop of glasgow george bischop of Dunkeldin nobill and mighty lordis Archibald erle of Angus cancellare of Scotland archibald erle of Ergile Williame erle m̃schell Iohnne lord glāmys andro lord gray Williame lord borthuik laurence lord Oliphaunt Robert lord lile Iohnne lord drūmond Williame lord of santt Iohnne venerabile faderis in god george abbot of Dunfermling Robert abbot of Kelso george abbot of paslay maister Richard murehede dene of glasgow and secreṭ to o' souerane lord maister Iohnne fresale dene of lestaalrig and clerk of ye register s^r duncane forest of Skipynch knicht cōptrollare to oure souerane lord Iohnne of Ogiluy sonn and apperand air to Iames lord Ogiluy of Arly s^r Iames Allerdess provost of oure lady kirk of ye heuch and maister richard lausoun Anent ye terme assignit be a bill to the alderman balezeis and cōmite of aberdene to produce and schew sic richt̃ as yai wald vse

Patrick Leiche, Canon of Glasgow, Clerk of our Rolls and Register, At Edinburgh, the tenth day of the month of December in the year of our Lord one thousand four hundred and eighty-two, and of our reign the twenty-third.

XXIII.

King James IV. confirms a decree of the Lords of Council (19th June, 1494) ratifying a Charter by King Robert I. (No. VIII.). 20th June, 1494.

JAMES, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that we have fully considered a certain act or decret given and pronounced by the Lords of our Council underwritten, in this form—"At Edinburgh the 19th day of June, &c. . . . but

anent ye clame of the forest of stokket ye castellhill and diuers' vy⁹is placis clamyt to pertene to oure souerane lord Oure souerane lordis aduocate and andro Wod comperand for yare interest^e and and ye parte of oure souerane lord Alexander Rede ald⁹man of Aberdene and ye procuratour^e of ye said tovvnn beand pnt The charter and infestment maid to ye said tovvne be king Robert the brois' of maist nobill mynde at lenth sene hard and vnderstandin * The lordis of qsale y^ewith Ripely avisit decretis and deliueris yat for ocht yat yai have zit sene the said alderman baillies and coñite sall broik and jois' ye said burgh of Aberdene with ye pertinence as yai brokit of before becaus yai clamyt the said bounde and placis be vertew of ye said charter ay and quhill thai be lauchfully put y^efra and but pⁱudice of oure souerane lord^e Richt Extract de libro actorum per me Iohanne fresale decanū de lestalrig clericum Rotulorum ⁊ regri ac consilii Supremi Dñi nñi regis Sub meis Signo et Subscriptione manualibus

Quodquid actum siue decretū ad omnia et singula in eodem q̄tenta in omibus suis punctis et articulis approbamus Ratificamus et pro nobis et successorib; nñis vt p̄missum est q̄firmamus Datum sub testimonio magnj Sigilli nñi Apud Edinburgh vicesimo die mēsē Iunii Anno Dñi millesimo Quadringētesimo Nonagesimo quarto Et Regni nñi Septimo.

XXIV.

Iacobus dei gratia Rex Scotorum Omnibus Probis hominibus suis ad

prejudice of oure soverane lordis richt. Extracted from the book of the Acts by me John Fresale, Dean of Lestalrig, Clerk of the Rolls, and of the Register and Council of our sovereign lord the King; under my sign and subscription manual." Which act or decreet and all and sundry contained therein, in all its points and articles we approve, ratify, and for ourselves and our successors as above set forth, confirm. Given under witness of our great seal, at Edinburgh, the twentieth date of the month of June in the year of our Lord one thousand four hundred and ninety-four, and of our reign the seventh.

XXIV.

King James IV. confirms the privileges granted by his grandfather in 1458 (No. XX.). 11th December, 1495.

JAMES, by the grace of God King of Scots, to all his good men to whom

* See No. VIII., p. 12.

quos pñtes ire peruenerint salutem Sciatis q intelleximus q burgeñ et mercatores burgi nñi de Aberdene q magna dampna et incōmoda hactenus perpassi sunt ob exportationem lane pelliū et corriorum extra vicecomitatum nñm de Aberdene Incontrarium priuilegiorum ⁊ libertatis dictorum burgensium in fraudem nñe magne custume dicti burgi Nos igitur attendē et perpendē infrictionem dicte libertatis et huīdi dampna nñā et dictorum ārorum burgensium cōmisimus et tenore pñtium cōmittim⁹ prepōito balliuis et burgensibus dicti burgi nñi qui pro tempore fuerint eorumq, deputatis liberam facultatem et plenariam pñtatem eschaetandi et ad vsum nñm appropriandi et capiendi hmoi bona lanas pelles corria Sic extra dictum Vicecomitatum et libertatem dicti burgi abducta seu Imposterum forsitan abducenda absq, solucione nñe custume De quibusquid bonis eschaetatis concessimus et tenore pñtium qcedimus dictis Prepōito balliuis ⁊ burgēsibz burgi nñi de Aberdene dimedietatem eschaete eorundem pro eorum laboribus sumptibz et expensz faciendis circa eorum eschaetataz [sic] aliam vero dimedietatem dicte eschaete ad nos Importare et de eisd bonis añuatim in nño Scaccario compotum Reddere tenebuntur prepōiti ⁊ balliui burgi supradicti Prout ire pñtatis quond

the present letters shall come, greeting. Know ye that we have understood that the burgesses and merchants of our burgh of Aberdeen have heretofore sustained very great losses and inconveniences on account of the exportation of wool, skins and hides outwith our sheriffdom of Aberdeen, in despite of the privileges and liberty of the said burgesses, to the detriment of our great custom of the said burgh: We therefore, giving heed to and weighing well the violation of the said liberty, and the consequent losses to ourselves and to our said burgesses, have entrusted, and by the tenor of these presents do entrust, the provost, baillies and burgesses of our said burgh for the time being and to their deputies free privilege and full power to escheat and to appropriate and take for our own use such goods, wools, skins, hides, as have been thus taken, or shall in time to come chance to be taken, outwith the said sheriffdom and freedom of the said burgh, without payment of our custom. From which escheated goods we have granted, and by the tenor of these presents do grant, to the said provost, baillies and burgesses of our burgh of Aberdeen one half of the escheat thereof in return for their trouble, charges and outlays incurred in connection with their escheating. But the other half of the said escheat the provost and baillies of the burgh aforesaid shall be bound to hand over to us, and yearly to render account of the same goods to our treasury; according as the letters of privilege addressed aforetime

carissimi ⁊ nobilissimi aui nři dictis Prepōito balliuis ⁊ burgensibus prius desup ꝓfectis in se plenius proportant ⁊ testantur Quare vniuersꝝ ⁊ singulis ligeis et subdictis nřis quorum interest vel interesse poterit stricte precipiendo mandamus quatenus dictis prepōito balliui et burgensibus dicti burghi eorumꝝ deputatis mīstris et fūitoribus in omnibꝝ et singulis eschaetacionem dictorum bonorum concerneñ et deportacionem eorund ad vsus nřos vt premittitur prompte Rñdeant pareant ⁊ Intendant Et q incontrarium pñtium nullatenus deuenire presumant temporibꝝ profuturis Sub omī pena quam erga nřam Regiam incurrere poterint maiestatem Pñtibus pro nřa voluntate et deinde vsq ad nřam Spečalem reuocacionem earund duratur. Datum sub magno Sigillo nřo Apud Abirbrothok vñdecimo die mensꝝ Decembrꝝ Anno dñi mīllmo quadrin^{mo} nonagesimo quinto Et Regni nři Octauo.

XXV.

Iacobus dei gracia Rex scotorum Omnibus Probis homībus suis ad Quos pñtes littere peruenerint salutem Sciatis Quia Intelleximꝰ q bur-

by our umquhile most dear and most noble grandfather to the said provost, baillies and burgesses in themselves more fully set forth and attest.* Wherefore we strictly enjoin all and sundry our lieges and subjects whom it does or may concern, promptly to answer, obey and attend to the said provost, baillies and burgesses of the said burgh, their deputies, officers and servants, in all and sundry matters affecting the escheating of the said goods and the handing over thereof to our uses as aforesaid; and not to make bold in any degree to contravene these presents in time to come under every penalty that they can incur to our Royal Majesty. These presents to remain in force during our will, and up to our special revocation of the same. Given under our great seal at Arbroath, the eleventh day of the month of December in the year of our Lord one thousand four hundred and ninety-five, and of our reign the eighth.

XXV.

King James IV. of new grants the privileges granted in 1495 (No. XXIV.) and grants like privileges with respect to victual. 17th August, 1511.

JAMES, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that we have understood

* See No. XX., p. 29.

genses et m̃catores burgi ñri de abirdene q^a magna dampna et Incommoda hactenus p̃pessi sunt ob exportacionem lane pelliū corriorum et victualium extra vicecomitatum ñrm de abirdene Incontrariū priuilegiōrū et libertatem dicti ñri burgi et burgensiū eiusd' ac contra statuta Itineris ñre cam̃arie et in fraudem ñre magne custume dicti ñri burgi Nos igitur attendē et perpendentes Infrictionem dicti libertatis dampnaq; et Incommoda ñra et dictorum burgensiū nostrorum Inde perpessa Cōmisimus tenoreq; p̃ficiū pro nobis et successorib; ñris cōmittimus prep̃ōito balliuis et burgensib; dicti ñri burgi nūc p̃tibus et qui pro tempore fuerint liberā facultatē plenariā p̃tatem et mandatum speciale ad eschaetandum et ad vsum ñrm applicand' et appropriand' om̃ia h̃mod' bona lanam pelles corria et victulia sic vt premittitur per quascumq; personas extra dictum ñrm vicecomitatū et libertatem prefati ñri burgi abducta seu forsan Imposterum abducenda absq; soluōe ñre magne custume inde debīt de quibusquid' bonis vt premittitur eschaetatis concessim⁹ tenoreq; p̃titiū concedim⁹ dictis prep̃ōito balliuis et burgeñ de Abirdene dimedietatem eschaete ñre eorund' bonorum pro ip̃orum laboribus sumptib; et expensis circa eschaetacionē eorund' faciendis Aliam vero dimedietatem dicte

that the burgesses and merchants of our burgh of Aberdeen have heretofore sustained very great losses and inconveniences on account of the exportation of wool, skins, hides and victuals outwith our sheriffdom of Aberdeen, in despite of the privileges and liberty of our said burgh and of the burgesses thereof, and contrary to the statutes of our chamberlain ayre and to the detriment of our great custom of our said burgh: We therefore, giving heed to and weighing well the violation of the said liberty, and the losses and inconveniences thereby sustained by ourselves and by our said burgesses, have entrusted, and by the tenor of these presents do for ourselves and our successors entrust, to the provost, baillies and burgesses of our said burgh, present and to come, free privilege, full power and special mandate, to escheat and to appropriate and apply to our use all such goods, wool, skins, hides, and victuals as have been taken, or shall in time to come chance to be taken, as aforesaid, by what persons soever, outwith our said sheriffdom and freedom of our foresaid burgh, without payment of our great custom thereon due. From which goods escheated as aforesaid we have granted, and by the tenor of these presents do grant, to the said provost, baillies and burgesses of Aberdeen one half our escheat of the same goods, in return for their trouble, charges and outlays incurred in connection with the escheating thereof. But the other half of the said escheat

the provost, baillies and burgesses above written shall be bound to hand over to us, and yearly to render account of the same goods to our treasury. Wherefore we strictly order and enjoin all and sundry our lieges and subjects whom it concerns, promptly to answer, obey and attend to the said provost, baillies and burgesses of our said burgh of Aberdeen, present and to come, their officers and servants, in all and sundry matters affecting the escheating of the said goods and the handing over thereof to our uses as aforesaid ; and not to make bold in any degree to contravene these presents in time to come, under every penalty competent in the circumstances, and according to the tenor of our other letters* and of the letters of our umquhile most noble ancestor, James the Second† (on whose soul may God have mercy), addressed thereanent aforetime under our great seals to the aforesaid provost, baillies and burgesses of our said burgh. In witness whereof we have ordered our great seal to be appended, for us and our successors, to our present letters, to remain in their full force for ever. At Edinburgh, the seventeenth day of the month of August in the year of our Lord one thousand five hundred and eleven, and of our reign the twenty-fourth.

† See No. XX., p. 29.

XXVI.

Iacobus dei gracia Rex scotorum Omnibus probis hominibus suis ad Quos pñtes tre peruenerint salutem Sciatis nos Quoddā actū siue decretū arbitrale per dños nñi consilii inferius descriptos datum et promulgatum vtiq̃ intellexisse sub hac forma

At Edinburgh ye xxiiij day of Ianuare the yere of god j^m v^e 7 xj zeris We William bischop of Abirdene Andro bischop of Caithnes cōmendator of Kelso thesaurā to oure souerane lord Daudid bischop of Ergile george postulat of ye ylis Edward byschop of Orknay archibald erle of Ergile andro lord gray Iustice generale to our souerane lord and maist^r gawane Dunbar archidene of Sanctand^r clerk of Register Iugis arbitratour^e and amicable compositour^e cōmonly chosen betuix ane noble and my^{ty} Lord Williā erle of Eroll fef of Abirdene principale on ye ta part and gilbert mēzeis provest of ye burgh of Abirdene Iohnne mar and Iohne colisoun bailzeis of ye sāmyn sh^r Iohne Ruy^o-furd knicht patrick Lesly Iohnne culane and Iames colisoun burgess; y^{of} for yame self and as procuratour^e for ye hale cōnite of ye said burgh constitute under yar cōmoun sele on ye toy^o part tuiching ye cōtraversy movit betuix yame anēt ye vse and possessioun allegit to be had be ye saidis provest bailzeis and cōnite and yar predecessour^e of punysing of trubbil and blude yat happinit amang^e nychtbour^e of ye said burgh and anēt yar Iur^edictioun and priuilege y^{of} and anēt the stop maid to yame yaruntill as wes allegit in yar complaint be ye said shēff in ye arresting of yare cōburgess; to shēf courtis contrar yar said priuilege and vse and tuiching ye Rycht of ye said mater and all actioun movit or to be movit y^{apoun} and how ye saidis ptiis suld bruke and Ioiss anent ye premiss; in tyme tocum like as Is cōteint in ane cōpromisse maid herapoun in Iugemēt

XXVI.

King James IV. confirms a Decreet Arbitral of the Lords of Council (24th January, 151¹/₂) anent the jurisdiction of the sheriff and the provost and baillies. 28th January, 151¹/₂.

JAMES, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that we have fully considered a certain act or decreet arbitral given and pronounced by the Lords of our Council underwritten, in this form.—“At Edinburgh the twenty-fourth day of January, &c.

in pñs of ye lordis of counsale The saidis ptiis being bundin oblist and Suorne to vnderly fulfill and complete oure decrete sentence and deliuerance or ony five of Us Iugis forsaid ʔ being pñt before Us And yar Richtis Resonis and allegatiounis at lenth be Us herd sene understand and Us deligently and Riply yʔwt ausit havand god befor ws all in ane voce decretis deliueris pñcis and for oure finale sentence and decrete arbitrale ordanis yat in all tyme tocū quhar yar sall happin ony blude to be cōmittit betuix burgess; of ye said burgh and fremen and yat Josis ye priuilege of ye sāmȳ amonge yā self within the burgh and fredome That ye provest and bailzeis yarof yat salbe for ye tyme sall know and haif cognitioun yʔapoun like as yai haif done in all tymes bigane And the said shēf nor his successourē nor yar deputis to haif na Intrometting yarwith And quhar blude beis cōmittet in ony tyme tocum within ye said burgh or fredome betuix persouns nocht burgess; duelland owtwith ye samē ʔ nocht joisand ye priuilege yʔof ye said shēf to haif cognitioun and knowledge yʔapoun and quhar yar beis blude cōmittit betuix burgess; of ye said burgh or vtheris joisand ye priuilege of Ye sāmȳn and vtheris persouns Remanend outwȳ ye burgh and fredome the said burgh and ye provest and bailzeis yʔof to haif jurisdiction and cognitioun in that cais; apoun ye burgess; and yame yat josis ye priuilege as said Is And ye said shēf vpoun ye vther persouns noȳ burgess; nor joisand ye said priuilege Resvand alwas to ye said provest and bailzeis and yar successoʔē to knaw apoun trubulance yat beis cōmittit be quhatsūeuir persouns within ye said burgh and fredome like as yai haif done of befor And quhar any burgess; fremen or vtherē joisand ye priuilege of ye said burgh cōmittis blude outwȳ ye sāmȳn ʔ fredome yof in yat cais; ye forsaid shēf and his successoʔē to haif cognitioun apoun ye said blude alwayis and alȳ wȳout pȳdice to ye said shēf or ony vther Richt or pȳuilege yȳ he of resoun aw to exerȳ within ye said burgh and fredome And yis oure decrete and sentence to haif ye strenth of ye decrete of ye lordis of ye hale sete becausȳ ye said action wes ȳpromittit to Us Iugis forsaidē In Jugemēt befor ye saidē lordis And it wes ordanit yȳ oȳ decrete to gevin yʔuppoun suld haif siclike strenth as It had bene gevin in Iugemēt be ye lordē of ye hale Sete And yʔfor ordains tȳreȳ be direct herapoun gif nede beis in dew forme as efferis Extractum de libero [sic] actorum per me magistrum gawinū Dunbar archi-

. . . in due form as effeirs. Extracted from the book of the Acts by me,

diaconū sanctiant clericū Rotulorū registri ac cōsillii supremi Dñi nři regis sub meis signo et subscriptōne manualibus

Quodquid actū siue decretum arbitrale In omībus et per omīa approbamus ratificamus Et per pūtes vt premissum est confirmamus Datum sub testimonio magni sigilli nři apud Edinburgh vicesimo octauo die mēs' Januarii Anno Dñi milīmo Quingentesimo Vndecimo Et Regni nři vicesimoquarto.

XXVII.

Iacobus dei gracia Rex scotorum Omnibus probis hominibus suis ad quos presentes ire peruenerint salutem Sciatis quia cum auisamento et consensu nři thesaurarij et dñorum compositorum Remisimus preposito balliuis cōmitati burgensibus le scot et lot soluentibus et eorum seruitoribus actualiter remanentibus infra burgum nřm de Abirdene et inhabitantibus intra terras et limites siue marchias burgales eiusdem seu in genere et in specie latoribus pñtium Rancorem animi nři sectam regiam ꝛ omnē actionē quem et quas erga ip̃os concepimus habemus seu quouismodo in

Master Gavin Dunbar, Archdeacon of St. Andrews, Clerk of the Rolls and of the Register and Council of our sovereign lord the King, under my sign and subscription manual." Which act or decreet arbitral, in all and by all, we approve, ratify and by these presents, as above set forth, confirm. Given under witness of our great seal at Edinburgh the twenty-eighth day of the month of January in the year of our Lord one thousand five hundred and eleven, and of our reign the twenty-fourth.

XXVII.

King James V. remits to the provost, baillies, community, &c., of Aberdeen all ill will and action against them because of their absence from his armies. 7th February, 1527.

JAMES, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that, with the advice and consent of our treasurer and lords arbiters we have remitted to the provost, baillies, community, burgesses paying scot and lot,* and their servants actually living within our burgh of Aberdeen, and to dwellers within the burghal lands and boundaries or marches thereof, or in general and in special to the bearers of these presents, our illwill, royal process, and all action which we conceived, have, or could in any

* To pay scot, or scat, and lot = to pay shares in proportion.—*Jamieson's Dictionary*.

futurum habere poterimus pro eorum proditoriis remanentia mora et absentia ab exercitibus nris de sulway ⁊ werk ac aliis nris exercitibus quibuscunq, nras contra proclamationes et mandata desuper directi Et pro omnibus actione et crimine que eis aut eorum alicui quouismodo imputari poterint Necnon pro omnibus aliis actionibus transgressionibus criminibus et offensis quibuscunq, per dictas personas aut earum aliquam aliquibus temporibus retroactis vsq, in diem date pñtium cōmissis seu quomodocunq, perpetratis proditoria traditione in nra persona regia incendio murthuro mulierum raptu cōmī furto fabricatione finctione et importatione false monete in regnū nostrum dispositione eiusdem per importatores ac homicidiis per dictas personas aut earum aliquam post primū diem mensis Ianuarij Anno Domini millesimo quingentesimo vigesimo sexto perpetratis tantūmodo exceptis dūmodo partibus conquerentibus ac dampna passis taliter satisfaciant q nullam super hoc decetero iustam querimoniam audiamus Et supradictos prepōitum balliuos cōmitatem burgenses et eorum seruitores actualiter infra dictum burgum nrm de Abirdene remanētes et inhabitantes intra terras et limites eiusdem suprascripti in genere ⁊ in specie sub firma pace et protectione nra iuste

way have in time to come towards them, because of their treasonable holding back, delay and absence from our armies of Sulway and Werk and from our other armies whatsoever, in opposition to our proclamations, and orders directed thereanent ; and be cause of every action and crime which could in any way be imputed to them or to any of them ; as well as because of all other actions, transgressions, crimes and offences whatsoever committed or in any way done by the said persons or by any of them in any times bygone until the day of the date of these presents—excepting only treasonable insurrection against our royal person, fire-raising, murder, ravishing of women, common theft, the making, passing and importing into our kingdom of false money, the disposal of the same by the importers, and manslaughters, committed by the said persons or by any one of them after the first day of the month of January in the year of our Lord one thousand five hundred and twenty-six—provided that they give such satisfaction to the accusers and those who have suffered losses, that we may hear no further just complaint thereanent. And rightly taking under our sure peace and protection the aforesaid provost, bailies, community, burgesses and their servants actually living within our said burgh of Aberdeen and dwellers within the above-written lands and limits thereof in general and in special, we strictly forbid any one to make bold unjustly to inflict any hurt, annoyance, injury or inconvenience on

suscipieñ firmiter inhiibemus ne quis eis aut eorum alicui occasione dicti proditoriaru remanencie more et absencie aut aliarum actionu transgressionu criminu et offensarum quaruncunq predict malum molestiam iniuriam seu grauamen aliquod inferre presumat iniuste super nram plenariam forisfacturam aut mortem eis aut eorum alicui inferat sub pena amissionis vite et mebrorum In Cuius rei testimoniũ has tras nras remissionis pro toto tempore vite prefat propõiti balliuorum comitatis burgensium ⁊ eorum seruitorum ac inhabitanciũ terras et limites burghi nri antedict et cuiuslibet iporum duraturas sub nro magno sigillo sibi fieri fecimus patentes apud Abirdene septimo die mensis februarij Anno domini millesimo Quingentesimo Vigesimo septimo Et regni nri decimo quinto.

them or any one of them on account of the said treasonable holding back, delay and absence, or of other actions, transgressions, crimes and offences whatsoever aforesaid, on pain of our full forfeiture ; or to inflict death on them or any one of them, under penalty of the loss of life and limbs. In witness whereof we have caused to be made patent under our great seal these our letters of remission, to remain in force for the whole time of the lives of the aforesaid provost, baillies, community, burgesses and their servants, and dwellers within the lands and limits of our burgh aforesaid, and of any one of them. At Aberdeen, the seventh day of the month of February in the year of our Lord one thousand five hundred and twenty-seven, and of our reign the fifteenth.

XXVIII

*King James V. empowers the provost, baillies, &c., of Aberdeen to fortify the burgh.
3rd September, 1529.*

James be the grace of god king of Scottis To all and sindry oure Iustices chalmilains shreffis stewartis ballies Iustice clerkis crowneris and yair deputis And all vy⁹is oure officiaris pñt ⁊ tocum liegis and subditis quham It efferis quhais knowlege thir oure tres salcum greting Wit ze Us to haue gevin and grantit And be thir oure tres gevis and grantis To ye provest ballies counsale ⁊ comunitie of oure burgh of Abirdene and yair successouris full power fredome faculte and speciale licence to big joist brouk haue and hald wallis of stane and lyme or Vvirwayis as yai sall think maist expedient with fortalices strenthis fousseis and munitionis about ye said burgh and boundis yairof as yai sall think maist

expedient perpetualie in tyme cūing but ony impediment molestation or trouble to be maid to yame yairin be Us or oure successouris be ony maner of way in tyme to cum Nochtwithstanding any lawis actis or statutis maid or to be maid in ye contrar Anent ye quhilkis We dispens' with ye saidē provest ballies counsale and cōmīte and yair successouris foreuir dischargeing zou all ⁊ sindry oure Iustices chalm^llains shreffis stewartis ballies Iustice clerkis and vy^ois oure officiaris pūt and tocum and zour deputis and all vy^ois oure liegis subditis foresaidē of all accusatioun trubling and intrometting with the saidis provest ballies counsale and cōmīte yair landis or gudis yairfore And of zour offices in yat part be thir oure tress foreuir Gevin vnder oure priue sele At Edinburgh ye thrid day of Septēber The zeir of god Ane thousand five hundreth tuintynyne zeris And of oure Regne ye xvj zeir.

Per signaturam manu S. D. N. Regis Subscriptam etc.

XXIX.

Queen Mary of new grants to the provost, baillies, &c., of Aberdeen for thirteen years exemption from great customs on salmon. 12th August, 1543.

Marie be ye grace of god quene of Scottis To oure comptrollare and custumaris of oure burgh of Abirdene now pūt and zat salhappin to be for ye tyme and all vy^ois or liegis ⁊ subditis quham it efferis quhais knowlege yir oure tress salcum greting fforsamekle as it is vnderstand to oure derrest cousing and tuto^r James erle of arrane lord hāmiltoun protecto^r and gounoure of oure realme That ye provest baillies counsale burgess' and cōmunite of oure said burgh of Abirdene for ye tyme and yair successouris War infest be oure maist nobill gudsh^r king Iames ye ferd of gude mynde quham god assoilze to be fre and quyte ppetualie fra all payment of custumis of salmond passand furth of oure said burgh and tane in ye watteris of done and dee pertenyng and that may pertene to ye fre burgess' of oure said burgh Sauffand and exceptand to him and his successouris ye custumes of salmond aucht and Wont be vtheris his subditis nocht havand ye fredome of oure said burgh as at mair lenth is conteint in or said derrest gudsh^m infestment maid and gevin to ye saidis pvest baillies counsale burgess' and cōmunite of oure said bur^r yair-upoun* Be verteu of ye quhilk yai ⁊ yair successouris war in continowale

* See No. XXII., p. 33.

and peciable possessioun of ye custumes of ye said salmond fre be ye space of fourty foure zeiris quhill laitlie zat Dauid Wod of ye Crag comptrollar for ye tyme to vmquhile o' derrest fader wrangiuslie compellit yame to pay ye saidis custumes of yair salmond to oure said vmquhile derrest fader in contrare ye tennor of ye said infestment And now becaus ye pvest baillies counsale burgess' and qmunite of our said burgh y^t now ar for augmētatioun of oure proffitt and for pleso' of Us ar content to satisfy Us for ye custumes of ilk berrell of yair salmond The sovme of twa schillingis no'withstanding yat yai ar infest frelie yairin in maner foirsaid Thairfore with auise consent and autorite of oure said tuto' and gou'no' We haue gevin grantit and disponit and be yir oure tres gevis grantis and disponis To ye saidis pvest baillies counsale burgess' and cōmunite of our said bur' and yair successouris havand or yat salhappin to haue ye fredome yairof All and sindry ye custumes of yair salmond passand fur' of oure said bur' and tane in the foirsaidis Watteris of done and dee pertenyng or yat onywyse salhappin to pertene to yame except befoir exceptit for all ye space and termes of threttene zeiris nixt and Immediatlie following ye day of ye dait heirof quhill day and dait salbe yair entre in and to ye saidis custumes And yaireftir to Indure and peciable to be broukit and Ioisit be yame vnto ye Ische ⁊ compleit end of ye saidis threttene zeiris with all and sindry qmoditeis fredomes proffittis asiamentis and richtius pertinentis quhatsumeuir pertenyng or richtiuslie may pertene yairto ffreliie quietlie weill and in peax But ony reuocatioun or aganecalling quhatsumeuir Payand during ye saidis threttene zeiris ye saidis provest baillies counsale burgess' and cōmunite of oure said burgh and yair successouris To Us oure successouris comptrollaris customaris chalm'lains or factouris in o' name for ye custume of ilk barrell of ye said salmond ye sovme of tua schillingis vsuale money of oure realme alanerlie Quhairfoir We charge straitlie and qmandis zow oure said comptrollare and customaris of oure said burgh now pñt and yat salhappin to be for ye tyme And all vy^ois oure liegis foirsaidis That ze and ilkane of zou decist and ceist fra all molestatioun and trubling of ye saidis provest baillies counsale burgess' and cōite in ye peciable brouking ⁊ Ioising of ye saidis custumes of salmond thay payand for ye same as said is Bot suffir yame peciable to brouk ye same during ye said space vnder all pane ⁊ charge yat eftir may follow dischargeing zou and ilkane of zou y^oof and of zoure offices

in yat parte No^twithstanding ony o^r tres or writingis gevin or to be gevin in ye contrare Gevin vnder oure priue seill at Edinburgh ye tuelf day of August The zeir of god j^m v^c fourty thre zeiris And of oure regne ye first zeir.

Per signaturam manu dñi gubernatoris Subscriptam, etc.

XXX.

Maria dei gratia regina scotorum Omnibus probis hominibus suis ad quos pñtes tre peruenerint salutem Quia nobis ac nño charissimo consanguineo et tutori Iacobo duci de chattellerault aranie comiti dño hamiltoun regni nñi protectori et gubernatori ac secreti nñi consilii dominis certo compertum est prepositum balliuos et cōmunitatem ac ciues populares burgi nñi de Abirdene in aquarum piscariis de de et done ac in nōnullis terrarum prediis infra libertatem dicti nñi burgi jaceñ per quond Inuictissimū robertum bruce scotorum regem et alios ab eo in hiis nñis temporibus succedentes predecessores nños nobilissimos recolende memorie quorum animabus propicietur deus multis retroactis seculis infeodatos esse Eas de nobis et predecessoribus nñis tenentes pro añua solutione feudi ducentarum tresdecim librarum sex solidorum et octo denariorum nobis ac nñis pensionariis quibus nōnulla pars eiusdem feudi in salariū

XXX.

Queen Mary empowers the provost, baillies, &c., of Aberdeen to feu the freedom lands of the burgh and the fishings in Dee and Don. 8th February, 155¹.

MARY, by the grace of God Queen of Scots, to all her good men to whom the present letters shall come, greeting. Whereas it is well known to us and to our dearest cousin and tutor, James, Duke of Chatelherault, Earl of Arran, Lord Hamilton, protector and governor of our kingdom, and to the Lords of our Privy Council, that the provost, baillies and community and inhabitants of our burgh of Aberdeen were many centuries past infest in the fishings of the waters of Dee and Don and in the several estates lying within the freedom of our said burgh, by umquhile invincible Robert Bruce, King of Scots, and others his successors in these our times, our most noble predecessors of cherished memory, on whose souls may God have mercy; holding the same of us and our predecessors by the annual payment of a rental of two hundred and thirteen pounds six shillings and eight pence to us and to our pensionaries, to whom a certain portion of the said

hereditarie assignatur Quas etiam terrarum predia et aquarum piscarias antedicti prepositi et balliui et cōmunitas dicti ñri burgi non hiis solum temporibus verum vltra hominū memoriā particulatim diuisas ad inexplicable cōmodum dicti ñri burgi conciuibus eiusdem locarunt Non minus tamen ñri regni coadiacentes proceres ea inde proficua dicti ñri burgi incolis perspicientes euenire Spe eorundem acquirendi sese dicto ñro burgo intrudunt inuolunt cōmiscent ac rempublicam eiusdem ita disturbent vt nulla requies nulla deniq̃ pacifica ciuiū vita suis incolis istis relinquatur Quare ad has turbas euadendas expellendasq̃ et ad tollendam omnem earum occasionem seu causam precipuam vt ne omnino in futurū quedam sit que procerum animos huic ñro burgo allicere quoquo modo possit ac vt res̃ eiusdem et suus annuus census pro strenuiore tuitione suorum ciuiū augeatur cum spēalibus consensu et assensu antedicti ñri gubernatoris dñorumq̃ secreti consilii ñri dedimus concessimus et cōmisimus ac pro nobis et ñris successoribus tenore pñtiū damus concedimus et cōmittimus ñram plenariam p̃tatem liberam facultatem et licentiam spēalem preposito balliuis et consulibus et cōmunitati dicti ñri burgi de Abirdene presentibus et futuris ac conciuibus eorundem maiori parti antedictas aquarū piscarias et terrarum predia quas infra libertatem dicti ñri burgi

rental is heritably assigned as salary : And which estates and fishings the aforesaid provosts and baillies and community of our said burgh, not only in these times, but beyond the memory of men, to the very great advantage of our said burgh, have let, divided into portions, to the fellow-citizens thereof: Nevertheless the neighbouring nobles of our kingdom, perceiving the profits accruing therefrom to the inhabitants of our said burgh, do, in the hope of acquiring the same, intrude, encroach, mix themselves up with and so disturb the common weal thereof, that there is left for its inhabitants no rest and no peaceful municipal life. Wherefore to avoid and put an end to such disturbances and to remove all occasion and exciting cause therefor, and lest in future there be anything which can in any way allure the nobles to this our burgh, and that the common good thereof, and its annual rental be increased for the more efficient protection of its citizens; with special consent and assent of our aforesaid governor and Lords of our Privy Council, we have given, granted and committed, and for us and our successors by the tenor of these presents do give, grant and commit, to the provost, baillies and councillors and to the community of our said burgh of Aberdeen, present and to come, and to a majority of their fellow citizens, full power, free privilege and special license to lease, rent, let, and, now and at all future times as often as

de nobis et predecessoribus nris in feudifirma tenent habent et possident conciuibus et liberis burgensibus eiusdem nri burgi potissimū hiis quibus de pñti pro firma assedantur et suis heredibus masculis liberis similiter burgensibus etiam dicti nri burgi actualiter incolis et in eo fruentibus libertate priuilegiorum et merciū mutationem frequentantibus nullis aliis assedandi arrendandi locandi ac in emphiteosim seu feudifirmā nūc et omnibus temporibus futuris quoties vacare cōtingerit imperpetuū hereditarie dimittendi pro añua augmentatione firmarum earundem antedictis preposito balliuis et consulibus soluenda ac in vsum rei pñ dicti nri burgi et pro defensione eiusdem applicanda hiis tamen feudifirmariis nullo pacto exemptis a curiis et placitis dicti nri burgi nec a solutione subsidiorum et contributionū (que taxtis et stentis appellantur) neq, a debitis obedientiis dicto nro burgo suis officiariis gubernatoribus et officia publica gerentibus prius solitis et cōsuetis Prouiso etiam q nulle femine concedetur facultas fruendi seu possidendi antedictis feudis seu vlla iñarum parte nec in vitali redditu hereditarie cōiūcta infeodatione nec aliter quouismodo Et ad premissa facienda dedimus et concessimus ac tenore pñtiū pro nobis et successoribus nris damus et concedimus antedictis preposito balliuis et cōmunitati dicti nri

a vacancy shall occur, to give in perpetual heritable emphyteusis or feufarm, the aforesaid fishings and estates, which within the freedom of our said burgh they hold, have and possess in feufarm of us and our predecessors, to the fellow citizens and free burgesses of our said burgh, especially to those to whom they are at present leased for rent and to their heirs male likewise free burgesses and also actual inhabitants of our said burgh, and therein enjoying the freedom of privileges and carrying on trade, and to no others: in return for an annual increase of the said rent to be paid to the aforesaid provost, baillies and councillors, and to be applied to the use of the common good of our said burgh, and for the protection thereof: such feuars, however, to be by no agreement exempted from the courts and pleas of our said burgh, or from payment of subsidies and contributions (which are called taxes and stents) or from the obedience due by use and wont to our said burgh, its officers, governors, and holders of public offices. Providing also that to no woman shall be granted the privilege to enjoy or possess the aforesaid feus or any part thereof, in heritable liferent, conjunct infestment or any other way. And for the carrying out of the premises we have given and granted, and by the tenor of these presents for us and our successors do give and grant, to the aforesaid provost, baillies and community of our said

burgi et eorum successoribus plenariam p̄tatem cōmissarios pro prefatorū feudorum assedatione locatione et dimissione eligendi quibus cōmittetur hereditaria infeofamenta feudifirme pisciarum et prediorum antedicti dandi concedendi et conficiendi cum talibus restrictis et annexis clausulis et conditionibus vt ex eorum animi sententia magis videbitur reiꝑ expedire precipue ne licitum erit cuiquam illorum neue suis heredibus quibus cōtigerit antedicta feuda concedi ea ip̄a aut villas earum minimas particulas quibuscunq; personis vel persone disponere seu alienare preterquam dicti n̄ri burgi masculis burgensibus et eiusdem mercatoribus et actualibus incolis superius recitatis et si secus fecerint ea eorum feuda dicto n̄ro burgo et eius dispositioni plenarie reuertere et in manibus prepositi balliuorum consulum et cōmunitatis eiusdem pro tempore vacare absq; p̄t̄is n̄re facultatis et licentie priuilegiorumve eiusdem preiudicio aut grauamine vel quaqua lesione ceteris feudifirmariis supradictis quoquo modo inde sequenda aut inferenda Saluis omni modo et reseruatis Nobis et successoribus n̄ris feudifirmis predictarum aquarum et pisciarum de eisdem nobis et predecessoribus n̄ris ante p̄t̄em concessionem prius debitis cum computo earundem in scaccariis n̄ris ānuatim fiendo more solito et consueto In Cuius Rei testimoniū p̄t̄ibus magnū sigillum

burgh and their successors, full power to choose, for the leasing, letting and giving of the foresaid feus, agents to whom shall be committed [power] to give, grant and complete heritable infestments of feufarm of the fishings and estates aforesaid, with such stringent and binding clauses and conditions that their intention to benefit the common good may be clearly seen ; especially that it shall not be lawful for anyone of them or their heirs to whom it may happen that the aforesaid feus are granted to dispone or alienate the same, or any the least portions thereof, to any person or persons whatsoever except to male burgesses of our said burgh, merchants and actual inhabitants thereof, as above set forth ; and if they shall do otherwise, their feus to revert to our said burgh for its free disposition, and for a time to lie vacant in the hands of the provost, baillies, councillors and community thereof, without prejudice or injury or any loss of our present permission or licence or the privileges thereof, to follow or be brought about in any way to the remaining feuars aforesaid. Saving in all respects and reserving for us and our successors the feu-duties of the aforesaid waters and fishings thereof formerly due to us and our predecessors before the present grant, with the account thereof made yearly by use and wont to our exchequer. In witness whereof we have ordered our great seal to be appended

firm apponi precepimus Apud Edinburgh octauo die mensis februarii anno dñi millesimo quingentesimo quinquagesimo primo et regni fñi decimo.

XXXI.

MARIA dei gratia regina scotorum OMNIBUS probis hominibus TOTIUS terre sue clericis et laicis salutem SCIATIS nos cum auisamento consensu et auctoritate charissimi consanguinei et tutoris nostri IACOBI ducis de Chattellarault aranie comitis domini hamiltoun regni nostri protectoris et gubernatoris quandam cartam feodifirme et donationis factam per dilectos nostros prepositum balliuos consules et cōmunitatem burgi nostri de Abirdene vnanimi consensu et assensu necnon cum nostris expressē facultate et licentia cum auisamento et consensu dicti fñi gubernatoris et dominorum nostri secreti consilii prefatis preposito balliuis consulibus et cōmunitati concess' conciuibus dicti fñi burgi subscriptis eorumq, heredibus et assignatis masculis prefati burgi burgensibus et eiusdem actualiter incolis in eodem liber-

to these presents. At Edinburgh, the eighth day of the month of February in the year of our Lord one thousand five hundred and fifty-one, and of our reign the tenth.

XXXI.

Queen Mary confirms a few charter of the fishings of Dee and Don granted (12th September, 1553) by the provost, baillies, &c., of Aberdeen. 15th September, 1553.

MARY, by the grace of God Queen of Scots, TO ALL good men of her WHOLE land, churchmen and laymen, greeting. KNOW YE that with the advice, consent and authority of our most dear cotisin and tutor, JAMES, Duke of Chatelherault, Earl of Arran, Lord Hamilton, protector and governor of our kingdom, we have fully considered a certain charter of feufarm and gift — by our command seen, read, inspected and carefully examined, being whole, entire, not erased, not cancelled, nor suspected in any part — made by our beloved provost, baillies, councillors and community of our burgh of Aberdeen, by unanimous consent and assent, as well as by our express privilege and licence granted to the foresaid provost, baillies, councillors and community, with advice and consent of our said governor and the Lords of our Privy Council, — in favour of the underwritten fellow-citizens of our said burgh,

tate priuilegiorum suorum et mercium mutatione vtefi et nullis aliis de omnibus et singulis piscariis aquarum de dee et done acetiam de omnibus et singulis terris subtus specificatis cum suis proficuis pendiculis et pertinentiis solitis et consuetis jacefi intra libertatem prefati burgi nostri et vicecomitatum nostrum de Abirdene dictis preposito balliuis consulibus et cōmunitati et prefato firo burgo hereditarie incumbeti cuilibet eorundem pro suis propriis partibus respectiue prout sequitur videlicet thome Menzes de petfoddellis preposito prefati nostri burgi de tota et integra piscaria dimedii rethis de lie raik et stellis super dicta aqua de die et solifi et consuē acetiam de terris de bogfarlay Alexandro ruthirfurd de dimedietate rethis eiusdem piscarie acetiam de terris de rubbislaw thome chalmer et eo deficiente Alexandro chalmer eius filio et heredi apparenti de dimedietate rethis eiusdem piscarie et terris de gardyne dauidi mar de dimedietate rethis eiusdem piscarie et terris de kingishill gilberto Collesoun de dimedietate rethis dicte piscarie et terris de frosterhill Alexandro knollis de dimedietate rethis eiusdem piscarie patricio Meyngeis de dimedietate rethis dicte piscarie thome meynzeis juniore filio et heredi quondam Andree Menzeis de dimedietate rethis eiusdem piscarie waltero cullane de dimedietate rethis eiusdem Andree

their male heirs and assignees, burgesses of the foresaid burgh and actual inhabitants thereof, making use therein of the liberty of their privileges and of trade, and to no others—of all and sundry the fishings of Dee and Don, and also of all and sundry the lands set forth below, with their profits, pendicles and pertinents used and wont, lying within the freedom of our foresaid burgh and our sheriffdom of Aberdeen, heritably belonging to the said provost, baillies, councillors and community, and to our foresaid burgh: to each his own respective portions as follows, to wit: To Thomas Menzies of Pitfoddels, provost of our foresaid burgh, all and whole the fishing of the half net of Raik and Stellis on the said water of Dee, as used and wont, and also the lands of Bogfairlay; to Alexander Rutherford a half net of the same fishing, and also the lands of Rubislaw; to Thomas Chalmer, and failing him to Alexander Chalmer his son and heir apparent, a half net of the same fishing, and the lands of Gardyne; to David Mar a half net of the same fishing, and the lands of Kingshill; to Gilbert Collison a half net of the said fishing, and the lands of Frosterhill; to Alexander Knollis a half net of the said fishing; to Patrick Menzies a half net of the said fishing; to Thomas Menzies, junior, son and heir of the late Andrew Menzies, a half net of the same fishing; to Walter Cullan a half net of the same; to

leslie de dimedietate rethis eiusdem andree lowsoun et eo deficiē Johanni lowsoun eius filio et heredi apparenti de dimedietate rethis eiusdem piscarie willmo lioun de dimedietate rethis piscarie de lie midchingill super dicta aqua de dee jacob collisoun seniori de dimedietate rethis eiusdem Iacobo Kintor de dimedietate rethis eiusdem Iacobo chene de dimedietate rethis eiusdem Alexandro Cullane de dimedietate rethis eiusdem Iohanni nicholsoun et deficiē eo suisq heredibus et assignatis thome nicholsoun eius patruo et tutori de dimedietate rethis eiusdem georgio bissate de dimedietate rethis eiusdem gilberto guthre de dimedietate rethis eiusdem georgio meynzeis de dimedietate rethis eiusdem quam Alexander gray nunc occupat magistro roberto andersoun de dimedietate rethis eiusdem dauidi arrate de tertia parte rethis eiusdem magistro thome menzeis de dimedietate rethis piscarie de lie pot super dicta aqua de dee Martino howisoun de dimedietate rethis eiusdem Gilberto mar de dimedietate rethis eiusdem Roberto rettary de dimedietate rethis eiusdem Andree scherare de dimedietate rethis eiusdem Iohanni scherare de dimedietate rethis eiusdem Iohanni leslie de dimedietate rethis eiusdem Thome andersoun et eo deficiē Iohanni andersoun eius filio et heredi apparenti de dimedietate rethis dicte piscarie Iohanni rolland et eo suisq heredibus et assignatis deficiē dauidi rolland eius patruo et tutori de dimedietate

Andrew Leslie a half net of the same ; to Andrew Lowson, and failing him to John Lowson his son and heir apparent, a half net of the same fishing ; to William Lyon a half net of the fishing of Midchingle on the said water of Dee ; to James Collison, senior, a half net of the same ; to James Kintore a half net of the same ; to James Cheyne a half net of the same ; to Alexander Cullan a half net of the same ; to John Nicholson, and failing him, his heirs and assignees, to Thomas Nicholson his uncle and tutor, a half net of the same ; to George Bissat a half net of the same ; to Gilbert Guthrie a half net of the same ; to George Menzies a half net of the same which Alexander Gray now holds ; to Master Robert Anderson a half net of the same ; to David Arrat a third part of a net of the same ; to Master Thomas Menzies a half net of the fishing of Pot on the said water of Dee ; to Martin Howison a half net of the same ; to Gilbert Mar a half net of the same ; to Robert Rattray a half net of the same ; to Andrew Scherar a half net of the same ; to John Scherar a half net of the same ; to John Leslie a half net of the same ; to Thomas Anderson, and failing him to John Anderson his son and heir apparent, a half net of the said fishing ; to John Rolland, and failing him, his heirs and assignees, to David Rolland his uncle and tutor, a half

rethis eiusdem Iacobo collesoun juniore de dimedietate rethis eiusdem Alexandro meynzeis de dimedietate rethis de lie furdys super dicta aqua dedee magro roberto chalmer de dimedietate rethis eiusdem et terris de hesilheid Iohanni Knollis de dimedietate rethis eiusdem patricio cullane de dimedietate rethis eiusdem archibaldo senz^r de dimedietate rethis eiusdem Alexandro lowsoun de dimedietate rethis eiusdem roberto crag de dimedietate rethis eiusdem Thome branche de dimedietate rethis eiusdem quam gilbertus kintor nunc occupat roberto mar de dimedietate rethis eiusdem quam Alexander blinscheill nunc occupat Iohanni Maly-soun de dimedietate rethis eiusdem quam patricius gray nunc occupat Wilmo ferquharsoun de dimedietate rethis eiusdem nunc per andream stevin eorumq, subtenentes suis nominibus occupat respectiue Gilberto meynzeis seniori de dimedietate rethis piscarie super aqua de done Iohanni blak de dimedietate rethis eiusdem piscarie Alexandro Collesoun de dimedietate rethis piscarie eiusdem Iohanni Irwin de dimedietate rethis eiusdem piscarie et terris dimedietatis ville de schedokisley gilberto maly-soun de tertia parte rethis eiusdem piscarie gilberto brabaner de tertia parte rethis eiusdem piscarie dauidi menzeis de sexta parte piscarie de lie criwis super eadem aqua de done Gilberto kintor de sexta parte piscarie eiusdem Alexandro hay de sexta parte eiusdem

net of the same ; to James Colleson, junior, a half net of the same ; to Alexander Menzies a half net of the Foords on the said water of Dee ; to Master Robert Chalmer a half net of the same, and the lands of Hazelhead ; to John Knollis a half net of the same ; to Patrick Cullan a half net of the same ; to Archibald Singer a half net of the same ; to Alexander Lowson a half net of the same ; to Robert Crag a half net of the same ; to Thomas Branche a half net of the same which Gilbert Kintore now holds ; to Robert Mar a half net of the same which Alexander Blinshell now holds ; to John Malyson a half net of the same which Patrick Gray now holds ; to William Farquharson a half net of the same now held by Andrew Steven and their subtenants in their names respectively ; to Gilbert Menzies, senior, a half net of the fishing on the water of Don ; to John Black a half net of the same fishing ; to Alexander Collison a half net of the same fishlog ; to John Irvine a half net of the same fishing, and the lands of half the town of Sheddocksley ; to Gilbert Malyson a third part of a net of the said fishing ; to Gilbert Brebner a third part of a net of the same fishing ; to David Menzies a sixth part of the fishing of the Cruives on the same water of Don ; to Gilbert Kintor a sixth part of the same fishing ;

piscarie Alexandro fraser de sexta parte eiusdem piscarie andree Meynzeis et suis⁹⁹ heredibus et assignatis deficiē roberto meynzeis de octaua parte eiusdem piscarie Iohanni reid de octaua parte eiusdem gilberto knollis de dimedietate octaue partis eiusdem piscarie ac de dimedietate ville et terrarum de cruvis Gilberto Meynzeis Iuniori de terris de tullo et Iohanni Mar de terris de Kingiswallis quas Iohannes arthor per se et suos subtenentes nunc occupat cum omnibus et singulis proficuis pendiculis iuribus et pertinentiis earundem quibuscunq, de prefatis preposito balliuis consulibus et cōmunitati burgi nri de Abirdene antedicti in feodifirma hereditate et libero burgagio Tenend de mandato nro visam lectam inspectam et diligenter examinatam sanam integram non rasam non cancellatam nec in aliqua sui parte suspectam ad plenum intellexisse sub hac forma

OMNIBUS hanc cartam visuris vel audituris Prepositus balliui consules et cōmunitas burgi de Abirdene eternam in dño salutē Quia nos super republica dicti nri burgi mutuo disceptantes ut policia eiusdem augeatur opesq, inopibus nostri burgi incolis facilius accrescant recordantes etiam parlamenti statutorum regni Scotie per quondam

to Alexander Hay a sixth part of the same fishing ; to Alexander Fraser a sixth part of the same fishing ; to Andrew Menzies, and failing him and his heirs and assignees, to Robert Menzies, an eighth part of the same fishing ; to John Reid an eighth part of the same ; to Gilbert Knollis a sixteenth part of the same fishing, and a half of the town and lands of Cruives ; to Gilbert Menzies, junior, the lands of Tullo ; and to John Mar the lands of Kingswells which John Arthur now holds in person and by his subtenants—with all and sundry profits, pendicles, rights and pertinents thereof whatsoever : to be held of the foresaid provost, baillies, councillors and community of our burgh of Aberdeen aforesaid, in feufarm, heritage and free burgage,—in this form :

“ To ALL who shall see or hear this charter, the provost, baillies, councillors and community of the burgh of Aberdeen, eternal greeting in the Lord. Whereas we, taking into consideration the common good of our burgh, in order that the polecy * thereof may be increased and that wealth may more easily be acquired by the poor citizens of our burgh, calling to mind also the Acts of Parliament of the kingdom of Scotland, made by umquhile most noble kings of Scots, of cherished

* “ *Polecy*, an alteration made in a town for the purpose of improving its appearance.”—*Famisson's Dictionary*.

nobilissimos scotorum reges recolende memorie penes feudifirmi locationem confectorum vtilitate prefati firi burgi in hac parte vndiq̃ preuisa pensata et considerata longo et diligenti tractatu maturaq̃ deliberatione prehabitis omnes et singulas piscarias nostras aquarum de dee et done necnon terrarum predia seu villas firas cum earundem pertinentiis jacentes infra libertatem dicti nostri burgi nobis hereditarie incumben nostris conciuibus suis heredibus et assignatis masculis burgeñ et actualiter incolis prefati firi burgi in eo libertate priuilegiorum fruentibus et mercium mutationem frequentantibus et nullis aliis pro republica nri burgi et annua rentalis firi augmentatione in feudifirmam seu perpetuam emphiteosim hereditariam locare statuimus decreuimus ordinauimus Noueritis nos igitur vnanimi consensu et assensu premissis suadentibus aliisq̃ causis et occasionibus animos firos rationabiliter mouentibus et remp̃ firam concernentibus acetiam pro certis pecuniarum summis nobis per quosdam conciuēs nostros inferius nominatos in pecunia numerata persolutis ac in vsus necessarios dicti firi burgi pro repuñ eiusdem totaliter conuersis et applicatis Necnon pro rentalis nostri annua augmentatione ad summam duodecim librarū duorum solidorum et duorum denariorum vsualis monete regni Scotie plusq̃ vnq̃ dicte fire piscarie et

memory, regarding letting to feufarm, the advantage of our foresaid burgh in this matter being kept in view, weighed and considered by means of long and careful discussion and mature deliberation, have ordered, decreed and ordained that all and sundry our fishings in the waters of Dee and Don, as well as our estates or townships, with the pertinents thereof lying within the freedom of our said burgh, belonging to us in heritage, be let in feufarm or perpetual heritable emphyteusis to our fellow citizens, their male heirs and assignees, burgesses and actual inhabitants of our foresaid burgh, therein enjoying the liberty of privileges and carrying on trade, and to no others, for the common good of our burgh, and for the increase of our yearly rental: Know ye, therefore, that we, with unanimous consent and assent, induced by the above considerations and by other reasonable causes and motives influencing us and affecting our common good, and also in return for certain sums of money to be paid to us in coin by sundry of our fellow citizens named below, and to be wholly converted and applied to the necessary uses of our said burgh for the common good thereof, as well as for the yearly increase of our rental by the sum of twelve pounds two shillings and two pence, usual money of the kingdom of Scotland, more than ever our said fishings and lands with their pertinents, whether by way

terre cum suis pertinentiis singulis proficuis computat tam antiq^a firma q^a quinquennali gressuma nobis aut predecessoribus nris prius persoluebant Cum expressis etiam facultate et licentia serenissime domine nre regine Mariæ dei grâ scotorum moderne Cum consensu et auisamêto charissimi consanguinei sui et tutoris Iacobi ducis de chattellarault aranie comitis domini hammiltoun regni scotie protectoris et gubernatoris invictissimi et secreti dominorum consilii sub magno sigillo nobis desuper concessis assedasse arrendasse locasse et ad feudifirmam seu perpetuam emphiteosim hereditarie dimisisse et hac pñti carta nra confirmasse Necnon tenore pñtium assedare arrendare locare et ad feudifirmam seu emphiteosim hereditarie dimittere et hac pñti carta nra confirmare eisdem nris conciuibus respectiue subinsertis suisq, heredibus et assignatis masculis antedicti et nullis aliis omnes et singulas predictas aquarum de dee et done piscarias Necnon omnes et singulas terras nras subscriptas cum suis proficuis pendiculis et pertinentiis solitis et consuetis Videlicet thome menzes de potfodellis * * * [etc. *ut supra*] * * * quas nunc occupat per se et suos subtenentes Iohannes arthur Cum uniuersis et singulis earundem proficuis pendiculis iuribus et pertinentiis quibuscunq, prout in nris cartis particulariter ipis respectiue desuper confecti latius continetur TENENDAS et habendas omnes et

of old rent or of quinquennial grassum, formerly paid to us and to our predecessors; also with express privilege and licence of our most serene lady, Mary, by the grace of God reigning Queen of Scots, with consent and advice of her most dear cousin and tutor, James, Duke of Chatelherault, Earl of Arran, Lord Hamilton, invincible protector and governor of the kingdom of Scotland, and of the Lords of the Privy Council, granted to us as above under the great seal:—have set, rented, let and put heritably to feufarm or perpetual emphyteusis, and by this our present charter have confirmed, as well as by the tenor of these presents, we do set, rent, let and put heritably to feufarm or perpetual emphyteusis, and by this our present charter do confirm, to our same respective fellow citizens named below and to their male heirs and assignees aforesaid, and to no others, all and sundry the aforesaid fishings of Dee and Don, as well as all and sundry our lands underwritten, with their profits, pendicles and pertinents, used and wont, to wit: To Thomas Menzies of Pitfoddels . . . [etc., as above, p. 53 *seqq.*] . . . which John Arthur now holds in person and by his subtenants, with all and sundry the profits, pendicles, rights and pertinents thereof whatsoever, as is more fully set forth in our charters, specially executed thereanent to them respectively. To BE

singulas suprascriptꝝ aquarum piscarias et terras cum pertinentiis solitis et consueꝝ prefatis nostris conciuibus respectiue supra nominatis suisqꝫ heredibus et assignatis masculis burgeñ et actualiter incolis dicti ñri burgi in eo libertate priuilegiorum fruentibus et mercium mutationem frequentantibus et nullis aliis -de nobis et successoribus ñris prepositis balliuis consulis et cōmunitate dicti burgi in feudifirma seu emphiteosi ac in libero burgagio imperpetuum per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine in bondis et limitibus earundem in boscis planis moris marresiis viis semitis aquis stagnis riuiulis pratis pascuis pasturis aucupationibus venationibus piscationibus cuniculis cuniculariis columbariis columbis cum edificiis desuper cōstructis et construendis cum lapicidiis lapidibus lignis et calce cum libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis ac iustis suis pertinentiis quibuscunqꝫ tam non nominatis q^a nominatis tam subtus terra q^a supra terram procul et prope ad predictas piscarias et terras cum pertinentiis spectantibus seu iuste spectare valentibus quomodolibꝫ in futurum adeo libere quiete plenarie integre honorifice bene et in pace sicut alique piscarie seu terre infra regnum scotie dantur venduntur in feudifirmā dimittuntur seu possidentur sine reuocatione reclamacione aut

HELD and had all and sundry the above-written fishings and lands, with the pertinents used and wont, by our foresaid fellow citizens above named respectively, their male heirs and assignees, burgesses and actual inhabitants of our said burgh, therein enjoying the freedom of privileges and carrying on trade, and by no others, of us and our successors, provosts, baillies, councillors and community of the said burgh, in feufarm or emphyteusis and in free burgage for ever, by all their right ancient meiths and marches as they lie in length and in breadth, in the bounds and limits thereof, in woods, plains, moors, marshes, roads, paths, waters, pools, streams, meadows, pastures, pasturages, hawkings, huntings, fishings, rabbits, rabbit-warrens, dovecots, doves, with buildings thereon constructed or to be constructed, with quarries, stones, firewood and lime, with free ish and entry, and with all and sundry other liberties, conveniences and easements and just pertinents whatsoever, as well not named as named, as well below the ground as above the ground, far and near, belonging, or which may in any way in future justly belong, to the foresaid fishings and lands, with the pertinents, as freely, quietly, fully, wholly, honourably, well and in peace as any fishings or lands within the kingdom of Scotland, are given, sold, put to feufarm, or possessed,

contradictione aliquali nostrum nostrorum successorum seu aliorum quorumcunq. REDDENDO inde annuatim prefati nři conburgenses superius recitati sui heredes et assignati masculi nobis et successoribus nřis seu collectoribus pro tempore pro hmoi piscariis et terris supraspecificatis firmas annuas seu pecuniarum summas respectiue subscriptas viz Quicunq. possessor hereditarius vniuscuiusq. piscarie dimedii rethis de lie raik et stellis antedicř summam octo librarum trium solidorum et duorum denariorum vsualis monete regni scotie que prius in rentali nřo computando antiquam firmam cum gressuma ad summam septem librarum sexdecim solidorum et sex denariorum annuatim solum extendebat et sic augmentando dictum nřm rentale annuatim ad summam sex solidorum et octo denariorum monete antedictę Quicunq. possessor hereditarius vniuscuiusq. piscarie dimedii rethis de midchingill summam sex librarum quindecim solidorum et decem denariorum que prius in rentali nřo computando antiquam firmam cum gressuma ad summam sex librarum duodecim solidorum et sex denariorum annuatim solum extendebat et sic augmentando dictum nřm rentale annuatim ad summam trium solidorum et quatuor denariorum Quicunq. possessor hereditarius tertie partis rethis de mydchingill summam quatuor librarum decem solidorum et septem denariorum que prius in rentali nřo computando antiquam firmam cum gressuma ad summam quatuor librarum octo solidorum et quatuor denariorum solū extendebat annuatim et sic augmētando dicř nřm rentale annuatim ad summam duorum solidorum et trium denariorum Quicunq. possessor hereditarius cuiuslibet piscarie dimedii

without any revocation, reclamation or challenge by us, our successors, or others whatsoever. PAYING therefor yearly our foresaid co-burgesses above set forth, their male heirs and assignees aforesaid, to us and our successors, or to the collectors for the time, for such fishings and land above specified, the annual rents or sums of money respectively underwritten, to wit: Every heritable possessor of each half net of the fishing of the Raik and Stells aforesaid the sum of eight pounds three shillings and two pence usual money of the kingdom of Scotland, which formerly, in estimating the old rent with grassum in our rental, extended only to the sum of seven pounds sixteen shillings and six pence yearly, thus increasing our said rental yearly by the sum of six shillings and eight pence money aforesaid; for each half net of the fishing of Midchingle £6 15s. 10d., formerly £6 12s. 6d., an increase of 3s. 4d.; for a third part of a net of Midchingle £4 10s. 7d., formerly £4 8s. 4d., an increase of

rethis de ly pot summam quatuor librarum et duorum solidorum que prius rē tali nō computando antiquam firmam cum gressuma ad summam quatuor librarum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam duorum solidorum Quicunq, possessor hereditarius cuiuslibet piscarie rethis de lie furdīs summam triginta trium solidorum et sex denariorum que prius in rentali nō computando antiquam firmam cum gressuma ad summam triginta duorum solidorum annuatim solum extendebat et sic augmentando dict nrm rentale añuatim ad summā octodecim denariorum Quicunq, possessor hereditarius cuiuslibet piscarie dimedii rethis aque de don summam nouem librarum et sexdecim solidorum que prius in rentali nō computando antiquam firmam cum gressuma ad summam nouem librarum et duodecim solidorum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam quatuor solidorum Quicunq, possessor hereditarius cuiuslibet tertie partis rethis piscarie de don summam sex librarum decem solidorum et octo denariorum que prius in rentali nō computando antiquam firmam cum gressuma ad summam sex librarum et octo solidorum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam duorum solidorum et octo denariorum Quicunq, possessor hereditarius cuiuslibet piscarie sexte partis de lie cruvis summam quatuor librarum trium solidorum et quatuor denariorum que prius in rentali nō computando antiquam firmam cum gressuma ad summam quatuor librarum añuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam trium solidorum et quatuor denariorum Quicunq, possessor hereditarius cuiuslibet piscarie octaue partis de lie cruvis summam trium librarum et duorum solidorum que prius in rentali nō computando antiquam firmam cum gressuma ad summam trium librarum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam duodecim [sic] solidorum Quicunq, possessor here-

2s. 3d.; for each half net of the fishing of the Pot £4 2s., formerly £4, an increase of 2s.; for each net of the fishing of the Foords £1 13s. 6d., formerly £1 12s., an increase of 1s. 6d.; for each half net of the fishing in the water of Don £9 16s., formerly £9 12s., an increase of 4s.; for each third part of net of the fishing of Don £6 10s. 8d., formerly £6 8s., an increase of 2s. 8d.; for each sixth part of the fishing of the Cruives £4 3s. 4d., formerly £4, an increase of 3s. 4d.; for each eighth part of the fishing of the Cruives the sum of £3 2s., formerly £3, an increase of 2s.; for each sixteenth

ditarius cuiuslibet piscarie dimidii octave partis de lie cruvis summam triginta unius solidorum que prius in rentale nro computando antiquam firmam cum gressuma ad summam triginta solidorum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam duorum denariorum Quicunq; possessor hereditarius dictarum terrarum de bogfarlay summam trium librarum decem solidorum et octo denariorum que prius in rentali nro computando antiquam firmam cum gressuma ad summam trium librarum et quatuor solidorum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam sex solidorum et octo denariorum Quilibet possessor hereditarius dictarum terrarum de rubbislaw summam quatuor librarum sex solidorum et octo denariorum que prius in rentali nro computando antiquam firmam cum gressuma ad summam quatuor librarum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam sex solidorum et octo denariorum Quilibet possessor hereditarius dictarum terrarum de gardin summam quinq; librarum et sex solidorum que prius in rentali nro computando antiquam cum gressuma ad summam quatuor librarum et sexdecim solidorum annuatim solum extendebat et sic augmentando dictum nostrum rentale annuatim ad summam decem solidorum Quilibet possessor hereditarius dictarum terrarum de frosterhill summam quinquaginta vnus solidorum et quatuor denariorum que prius in rentali nro computando antiquam firmam cum gressuma ad summam quadraginta octo solidorum annuatim solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam trium solidorum et quatuor denariorum Quilibet possessor hereditarius dictarum terrarum de hesilheid summam trium librarum septem solidorum et quatuor denariorum que prius in nro rentali computando antiquam firmam cum gressuma ad summam trium librarum et quatuor solidorum solum extendebat et sic augmentando dictum nrm rentale annuatim ad summam trium solidorum et quatuor denariorum Quilibet possessor hereditarius dictarum ter-

part of the fishing of Cruives £1 11s., formerly £1 10s., an increase of 1s.; for the lands of Bogfarlay £3 10s. 8d., formerly £3 4s., an increase of 6s. 8d.; for the lands of Rubislaw £4 6s. 8d., formerly £4, an increase of 6s. 8d.; for the lands of Gardin £5 6s., formerly £4 16s., an increase of 10s.; for the lands of Frosterhill £2 11s., formerly £2 8s., an increase of 3s.; for the lands of Hazlehead £3 7s. 4d., formerly £3 4s., an increase of 3s. 4d.; for the lands of

rarum de kingiswallis tantundē per omnia sicuti possessor hereditarius de hesilheid Quilibet possessor hereditarius dimedietatis ville et terrarum de schedokisley tantundem per omnia sicuti possessor hereditarius de hesilheid. Quilibet possessor hereditarius dictarum terrarum de tullo tantundem per omnia sicuti dictus possessor de hesilheid cum augmentatione quatuor denariorum Quilibet possessor hereditarius dimedietatis ville de cruvis summam quadraginta vnus solidorum et octo denariorum que prius in rentali nro computando antiquam firmam cum gressuma ad summam quadraginta solidorum annuatim solum extendebat et sic augmentando dictum rentale annuatim ad summam vigintie denariorum vsualis monete regni scotie plusq, vnq, dicte piscarie et terre antedict respectiue cum suis pertinentiis nobis aut predecessoribus nris prius persoluebant Quilibet possessor hereditarius dictarum terrarum de kingishill summam quadraginta solidorum que prius in rentali nro vltra memoriam hōum nihil persoluebant ad duos anni terminos vsuales penthecostes viz et sancti martini in hieme per equales portiones nomine feodfirme necnon quilibet de nouo intrans ad hñoi piscarias seu terras duplicabit feudifirmam antedict in suo primo introitu ad easdem tantum pro omni alio onere seruicio seculari exactione seu demanda que de predictis piscariis et terris cum suis pertinentiis aliquialiter exigi poterint aut requiri PROUISO tamen per omnia q dicti nri conciuēs sui heredes et assignati masculi antedicti nullo modo sint exempti a curiis et placitis dicti nri burgi nec a solutione subsidiorum et contributionum que tax-

Kingswells, as for Hazlehead ; for half the town and lands of Sheddocksley, as for Hazlehead ; for the lands of Tullo, as for Hazlehead with four pence additional ; for half the town of Cruives £2 1s 8d., formerly £2, an increase of 1s. 8d. upon what the fishings and lands aforesaid formerly paid to us or our predecessors ; for the lands of Kingshill £2, which formerly beyond the memory of man paid nothing—at the two usual yearly terms, namely, Pentecost and St. Martin in winter, in equal portions in name of feu-duty, as also every one entering of new on fishings or lands shall pay a double feu-duty aforesaid at his first entry thereto only, in place of all other burden, secular service, exaction, or demand, which could in any way be exacted or required from the foresaid fishings and lands with their pertinents. PROVIDING, however, through all, that our said fellow citizens, their male heirs and assignees aforesaid, shall be in no way exempt from the courts and pleas of our said burgh or from payment of the subsidies and contributions which are called taxes and stents, or from the due

tis et stentis appellantur neq, a debitis seruiciis et obedientiis dicto nro burgo nris officiariis gubernatoribus et publica officia gerentibus prius solitis et consuetis prouiso etiam q non erit licitum vlli femine vtendi fruendi nec possidendi antedictas piscarias seu terras nec vllam partem aut proficuum earundem in vitall reditu hereditate coniuncta infeodatione nec aliter quouismodo ad hec non licebit dictis nris concuiibus suis heredibus aut assignatis nec eorum alicui duas dimediatates rethium siue, duas piscarias neq, duas villas terrarum insimul hereditarie possidere quouis priuilegio licentia vel auctoritate vllis temporibus affuturis insuper non erit licitum dictis nostris conburgensibus heredibus suis aut assignatis nec eorum tenentibus terras modo non cultas prefatarum terrarum supra recitatarum cum suis pertinenciis de nouo arrare manurare colere vrere nec seminare quouismodo in futurum (dempto possessore hereditario dictarum terrarum de kingishill et suis heredibus et assignatis antedictis eorumq, tenentibus quibus licitum erit laborare arrare et seminare easdem terras infra limites specificatas in carta nra particulari desuper cofecta prout in eadem continetur attento q hñoi terre de pñti sunt penitus vaste deserte et steriles nullum fructum producentes) et q ceteri nri comburgenses conuicini et incole dicti nri burgi pñtes et futuri gaudebunt et fruentur priuilegiis solitis pascendi ani-

service and obedience formerly used and wont to our said burgh, our officers, governors and those holding public offices; providing also that it shall not be lawful for any woman to use, enjoy or possess the foresaid fishings or lands or any part or profit thereof in liferent, heritage, conjunct infeftment or any other way; further, it shall not be lawful for our said fellow citizens, their heirs and assignees, or for any one of them, to possess in heritage two half nets, or two fishings, or two townships of lands at the same time, in virtue of any privilege, licence or authority in any time to come; moreover, it shall not be lawful for our said coburgesses, their heirs or assignees, or their tenants, in any manner in future of new to plough, manure, cultivate, burn or sow portions not already under cultivation of the foresaid lands above set forth with their pertinents (excepting the heritable possessor of the said lands of Kingshill and his heirs and assignees aforesaid and their tenants, for whom it shall be lawful to till, plough and sow the same lands within limits specified in our special charter executed thereanent, as is set forth in the same, because these lands at present are almost waste, desert and sterile, producing no fruit); and that the rest of our coburgesses, neighbours and inhabitants of our said burgh, present and to

malia et pecora ac proiiciendi fodiendi et ducendi glebas focalia turbaria cespites bruaria et id genus quid comburendum infra cōmuniam dicti burgi toties quoties opus fuerit modo et forma quibus ante pñtis carte confectionem gaudebant et possidebant Vltterius si contigerit dictos nostros concius eorum heredes aut assignatos masculos antedictos seu eorundem aliquem deficere in solutione dictarum feudifirmarum respectiue annuatim erminatim ut premittitur ad terminos suprascriptos vel saltem infra viginti dies immediate post quemlibet terminum dumodo ad hoc legitime requisit fuerint seu fuerit per collectorem dicti burgi pro tempore q illis casibus et quolibet eorum occureñ delinquentes seu delinquens cadent seu cadet a iure hñoi infeodationis in [sic] carta sibi desuper confecta erit in se nulla inualida et omnino expirata RESERUANDO tamen per omnia prefatas piscarias et terras cum suis pertinentiis personis que de presenti easdem respectiue in assedatione habent durantibus annis et terminis suarum assedationum cursuris dumtaxat Saluis etam et reseruatis prefate supreme domine nre regine et suis successoribus feudifirmis annuis seruitiis burgagiis inde debitis et consuetis et nos vero dicti prepositus balliui consules et cōunitas de Abirdene et nri successores omnes et singulas aquarum piscarias et terras superius recitatas

come, shall enjoy and have the benefit of the customary privileges of feeding animals and flocks, and of casting, digging and leading earth, firewood, peats, turf, heath, and all kinds of fuel within the commonty of the said burgh, as often as need shall be, in manner and form as before the execution of this present charter they enjoyed and possessed: Further, if it shall happen that our said fellow citizens, their male heirs and assignees aforesaid, or any one thereof, fail to pay the said feu-duties due at the respective yearly terms as aforesaid, at the terms above-written, or at least within twenty days immediately following any term, while legally requested to pay by the collector of the said burgh for the time, in that case and as often as it occurs the delinquent or delinquents shall lose the right of infestment, and the charter proceeding thereon shall be null, void, and altogether without effect. RESERVING, however, in all respects, the foresaid fishings and lands with their pertinents to the persons who at present have the same respectively in lease, while the years and terms of their lease are still to run. Saving and reserving also to our foresaid supreme lady, the Queen, and to her successors, the annual feu-duties, burgage services thereon due and customary. And we, the said provost, baillies, councillors and community of Aberdeen and our successors shall warrant, acquit and for ever defend all and sundry the fishings

cum suis proficuis pendiculis et pertinentiis solitis et consuetis prefatis nris conciuibus supra nominatis suis heredibus et assignatis masculis antedictis et nullis aliis in omnibus et per omnia forma pariter et effectum ut premissum est varantizabimus acquietabimus et imperpetuum defendemus IN CUIUS rei testimonium pntibus maioris partis commissariorum nrorum pro tempore subscriptionibus manualibus roborat Sigillum nrm appendi comune fecimus apud Abirdene duodecimo die mensis Septembris anno domine mllmo quingtesimo quinquagesimo tertio Coram testibus domino Iacobo barclay magro Edwardo menzes Capellanis magris Andrea harvey Toma Young Gilberto murray Ioanne Nicholsoun et Ioanne Kennedy notariis publicis cum diuersis aliis

QUAMQUIDEM cartam feodifirmam et donationem in eadem contentam in omnibus suis punctis et articulis conditionibus et modis ac circumstantiis suis quibuscunq, in omnibus et per omnia forma pariter et effectum ut premissum est Cum auisamento consensu et auctoritate dicti nri carissimi consanguinei et tutoris approbamus ratificamus ac pro nobis et successoribus nris pro perpetuo confirmamus saluis nobis et successoribus nris firmis feudifirme iuribus et seruitiis dictarum terrarum et piscariarum cum suis pertinentiis ante pntem nram confirmationem nobis debitis et consuetis INSUPER cum auisamento consensu

and lands above set forth, with their profits, pendicles and pertinents used and wont, for our foresaid fellow citizens above-named, their male heirs and assignees aforesaid, and for no others, in all and through all, in like form and effect as aforesaid. IN WITNESS WHEREOF we have caused our common seal to be appended to these presents, strengthened by the subscriptions of the greater part of our commissaries for the time: at Aberdeen, the twelfth day of the month of September, in the year of our Lord one thousand five hundred and fifty-three, before witnesses: Sir James Barclay, Master Edward Menzies, chaplains; Masters Andrew Harvey, Thomas Young, Gilbert Murray, John Nicholson, and John Kennedy, Notaries Public, with divers others."

WHICH charter, feufarm and gift therein contained, in all its points and articles, conditions and forms, and circumstances whatsoever, in all and through all, in like form and effect as aforesaid, with advice, consent and authority of our said most dear cousin and tutor, we do approve, ratify, and for us and our successors for ever confirm: reserving to us and our successors our feu-duties, rights and services of the said lands and fishings with their pertinents, due and customary to us before our present confirmation. MOREOVER, with advice, consent and authority

et autoritate n̄ri gubernatoris antedicti ex n̄ra reginali potestate et autoritate regali volumus concedimus ac pro nobis et successoribus n̄ris decernimus et ordinamus q̄ hec presens nostra confirmatio tanti erit roboris valoris et efficacie conciuibus dicti n̄ri burghi suprascriptis eorumq̄ heredibus et assignatis predictis et eorundem cuilibet ac sic eadem per nos sub n̄ro magno sigillo in maiori forma eis et eorum cuilibet ante sasinas per ip̄os de prefatis piscariis et terris respectiue captas data et concessa fuisset non obstanti sasinis per ip̄os de eisdem ante p̄ntem n̄ram confirmationem susceptis IN CUIUS rei testimonium huic p̄nti carte n̄re confirmationis magnum sigillum n̄rm apponi precepimus TESTIBUS reuerendissimo in christo patre Iohanne Archiep̄o Sancti Andree thesaurario n̄ro dilectis n̄ris consanguineis Georgio Comite de huntlie ac morauia domino gordoun et badzenauch cancellario n̄ro archibaldo comite ergadie domino cambell et lorne venerabili in Christo patre Georgio cōmendatario monasterii n̄ri de dunfermling n̄ri secreti sigilli custode dilectis nostris familiaribus māgris toma marioribankis de ratho n̄rorum rotulorum reḡri ac consilii ctico johanne bellenden de auchnoule n̄ra iusticiarie ctico et alexandro levyingstoun de donypace n̄re cancellarie direttore Apud Edinburgh decimo quinto die mensis sep-

of our governor aforesaid, of our own queenly power and royal authority, we will, grant, and for us and our successors decree and ordain, that this our present confirmation shall be of as great strength, power and efficacy for the fellow citizens above-written of our said burgh, their heirs and assignees aforesaid, and any one thereof, as if the same had been given and granted by us under our great seal in greater form to them and each one of them before the sasines taken by them on the foresaid fishings and lands respectively, notwithstanding that the sasines were taken by them thereupon before our present confirmation. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES: The most reverend father in Christ, John, Archbishop of St. Andrews, our Treasurer; our beloved cousins, George, Earl of Huntly and Moray, Lord Gordon and Badenoch, our Chancellor; Archibald, Earl of Argyle, Lord Campbell and Lorne; the venerable father in Christ, George, Commendator of our Monastery of Dunfermline, Keeper of our Privy Seal; our beloved familiar Masters Thomas Marjoribanks of Ratho, Clerk of our Rolls, Register and Council; John Bellenden of Auchnoule, our Justice Clerk; and Alexander Livingston of Donypace, Director of our Chancery. At Edinburgh, the fifteenth day of the month of September

tembris anno domini millesimo quingentesimo quinquagesimo tertio Et regni nostri vndecimo

XXXII.

Iacobus dei gr̃a Rex scotorum Omnibus probis hominibus Totius terre sue clericis et laicis salutem Sciatis nos pro ardenti zelo quem ob intertenendam poletiam et bonū ordinem inter subditos n̄ros gerimus precipue vero intra burgum nostrum de abirdene Intelligentes itaq; q̄ super omnia Munus erga deum (cuius prouidētia regimini n̄ro preponimur) amplecti obuincti sumus Ac pro sustentatione hospitalitatis pauperibus mutilatis Impotentibusq; personis orphanis et parentibus destitutis infantulis preseruande sollicitos fore Cum auisamento et consensu charissimi auunculi n̄ri Jacobi morauie comitis domini abirnethie et n̄ri regni ac ligeorum n̄rorum regentis dedisse concessisse et hac p̄nti carta n̄ra confirmasse hereditarie dilectis n̄ris preposito balliuis consulibus et cōmunitate burgi n̄ri de abirdene eorumq; successoribus Imperpetuū Totum et integrum

in the year of our Lord one thousand five hundred and fifty-three, and of our reign the eleventh.

XXXII.

*King James VI. grants to the provost, baillies, etc., of Aberdeen, the habitation of the Minor Friars of the burgh to be converted into a Hospital. 30th December, 1567.**

JAMES, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that from the ardent zeal which we have for the encouragement of poley and good order among our subjects, but especially those within our burgh of Aberdeen; and recognising therefore that above all things we are bound to fulfil our duty towards God, by whose providence we are placed in our government; and anxious for the upholding of hospitality to the poor, the maimed, and the impotent, and to orphans and infants deprived of their parents; with the advice and consent of our very dear uncle, James, Earl of Moray, Lord Abernethy, Regent of our kingdom and of our lieges, we have given, granted, and by this our present charter confirmed in heritage to our beloved provost, baillies, councillors and community of our burgh of

* See Resignation by the Minor Friars to the Corporation, 29th December, 1559, *postea*.

habitaculum siue mansionem jaceñ intra dictum nostrum burgum cum hortis et pertinentiis eiusdem ad fratres minores dicti burgi olim spectañ per ipsosq, inhabitat⁹ ad effectum q prefati prepositus balliui consules et cōmunitas idem in hospitale pro receptione dict⁹ pauperum mutilatarum et Impotentium personarum orphanorum et infantulorum parentibus destitutorum predict⁹ conuertere possent et non alias Pro quoquidem etiam effectu nos tenore presentium dict⁹ mansionem habitaculum et hortos earundem in vnū perpetuum hospitale facimus creamus et erigimus Nouū hospitale de abirdene omni tempore affuturo nuncupand⁹ Teneñ et habeñ totum et integrum dictum habitaculum et mansionem cum hortis et pertinentiis earundem dictis preposito balliuis consulibus et cōmunitati eorumq, successoribus ad effectum predictum de nobis et successoribus nris in feodo et hereditate Imperpetuū Cum potestate ipsis cum dicto habitaculo et mansione intromittendi Idem et hortum eiusdem vel aliquam earundem partem prout ipsis ad effectum superius specificatum videbitur bonū et expediens alterandi mutandi dimoliendi reformandi et reparandi in omnibus que pro asiamento et receptaculo dict⁹ pauperum et Impotentium personarum cōmoda esse poterint leges ac constitutiones pro obseruatione dicti hospitalis in bono et decenti

Aberdeen and their successors for ever, all and whole the habitation or dwelling-house lying within our said burgh, with the yards and pertinents thereof, formerly belonging to the Minor Friars of the said burgh and by them inhabited; to the end that the foresaid provost, baillies, councillors and community should convert the same into a hospital for the reception of the said poor, maimed, and impotent, for orphans and for infants deprived of their parents as aforesaid, and no otherwise. For which purpose also we by the tenor of these presents make, create, and erect the said dwelling-house, habitation, and yards thereof into a permanent hospital to be called in all time to come the New Hospital of Aberdeen. To be held and had all and whole the said habitation and dwelling-house with yards and pertinents thereof, by the said provost, baillies, councillors and community, and their successors, for the foresaid purpose, of us and our successors in fee and heritage for ever; with power to the same of intromitting with the said habitation and dwelling-place and yard thereof, or any part of the same, as shall seem to them good and expedient for the purpose above specified; of altering, changing, demolishing, reforming, and repairing in all things which may be convenient for the easement and shelter of the said poor and impotent; of making and issuing laws and constitutions to be observed in the said hospital

ordine faciendi et promulgandi que adeo valibiles tantiq[ue] [*sic*] efficacie erunt ac si eedem in hac presenti nra infeodatione latius erunt expresse Cum omnibus et singulis aliis libertatibus comoditatibus proficuis et asiamentis ac iustis suis pertinentiis quibuscunq[ue] tam non nominat^o q[uam] nominat^o ad predict^o habitaculum et mansionem cum hortis et pertineñ earundem spectañ seu iuste spectare valeñ quomodolibet in futurum adeo libere in omnibus et per omnia sicuti aliqua hospitalia in quibuscunq[ue] partibus regni nri per quoscunq[ue] nostros progenitores temporibus preteritis fundata dotata et erecta sunt sine aliqua reuocatione [*sic*] aut contradictione quacunq[ue] Reddendo inde ānuatim dicti prepositus balliui consules et cōmunitas dicti burghi ardentes et deuotas suas preces òipotenti deo p statu prospero nri et successorum nrorum tantum In Cuius rei testimoniū huic presenti carte nre magnū sigillum nostrum apponi precepimus Testibus reuerendissimo in xpo patre Iohanne archiepo sanctiandree et dilectis nostris consanguineis Iacobo comite de mortoun domino dalkeith cancellario nro Wilelmo comite mariscalli dño keith Venerabili in xpo patre Iohanne priore monasterii nri de coldinghame nri secreti sigilli custode dilectis nris familiaribus consiliariis Magistro Iacobo makgill de rankelour nethir nrorum rotulorum registri ac consilii clerico

in good and decent order, which shall be of as great force as if the same had been set forth at greater length in this our present infestment: With all and sundry other liberties, conveniences, profits, and easements and their just pertinents whatsoever, as well not named as named, belonging, or which shall in any way in future belong, to the foresaid habitation and dwelling-house, with the yards and pertinents thereof; as freely, in all and through all, as any hospitals in any parts whatsoever of our kingdom by any of our ancestors whatsoever in times past have been given, endowed and erected: without any revocation or challenge whatsoever. Paying therefor yearly the said provost, baillies, councillors and community of the said burgh, only their zealous and special prayers to Almighty God for the prosperity of us and our successors. In witness whereof we have ordered our great seal to be appended to this our present charter. Witnesses: The most reverend father in Christ, John, Archbishop of Saint Andrews; and our beloved cousins, James, Earl of Mortoun, Lord Dalkeith, our Chancellor; William, Earl Marischal, Lord Keith; the venerable father in Christ, John, Prior of the Monastery of Coldingham, Keeper of our Privy Seal; our beloved familiar councillors, Master James Macgill of Nether Rankelour, Clerk of our Rolls, Register, and Council; and John Ballenden of Auchnoule, Knight, our Justice Clerk.

et Iohanne bellendeñ de authnoule milite nre iusticiarie clerico Apud Edinburgh penultimo die mensis decembris anno domini millesimo quingentesimo sexagesimo septimo Et regni nostri primo

XXXIII.

Iacobus dei gratia Rex Scotorum Omnibus probis hominibus Totius terre sue clericis et laicis salutem Sciatis nos statum et conditionem pauperum intra regnū nrm perpendentes cōmiseratione erga eos cristiana et paterna pietate inducti presertim pro sustentatione pauperum hospitalium et gymnasiorum aliorumq, piorum vsuum intra burgum nrm de Abirdene ac vt sustententur Igitur cum auisamento dñorum nri secreti consilii dedisse concessisse disposuisse et hac pñti carta nra confirmasse Predilectis nris preposito balliuis consuli et cōmunitati dicti nri burgi de Abirdene ac eorum successoribus imperpetuū Omnes et singulas croftas terras tenementa et alia subscript que perprius tam ad fratres predictores

At Edinburgh, the thirtieth day of the month of December in the year of our Lord one thousand five hundred and sixty-seven, and of our reign the first.

XXXIII.

King James VI. grants to the provost, baillies, etc., of Aberdeen, all the properties of the Black and of the White Friars, and of other ecclesiastical bodies within the burgh, for the support of a Hospital and other pious uses. 26th October, 1583.

JAMES, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we, weighing well the state and condition of the poor within our kingdom, influenced by Christian pity and fatherly affection towards them, especially for the upholding of the poor's hospitals and gymnasia and other pious uses within our burgh of Aberdeen, and in order that they may be kept up, have therefore, with the advice of the Lords of our Privy Council, given, granted, disposed, and by this our present charter confirmed, to our well beloved provost, baillies, council and community of our said burgh of Aberdeen and their successors for ever, all and sundry the crofts, lands, tenements and others under-written, which formerly belonged either to the Friars Preachers

quam fratres albos lie quhyte freiris de Abirdene pertinuerunt Ac nunc nobis tanq^a pars proprietatis nre corone per ordinem generalem desuper susceptum pertinent Acetiam in manibus nris virtute nre vltime generalis reuocationis de eisdem confecte deuenerunt viz illam croftam vocaſ lie zaird croft Iaceñ inter terram et croftam Adami Mar ex orientali lie womānishill ex occidentali domū gilberti andersoun appellatum lie blak freiris mans^o et templum ex australi et lacum ex boreali partibus Croftam terre vocaſ lie sowcroft Iaceñ inter viam publicam ex orientali lie denburne ex occidentali croftam georgii harrow ex australi et viam cōmunem ex boreali partibus Croftam vocaſ craigwell croft Iaceñ inter croftam maġri gilberti bisset ex orientali croftam georgii Watsoun ex occidentali croftam Andree Dun ex australi et viam publicam ex australi [boreali?] partibus Tres porcas lie riggis terrarum Iaceñ prope lie Crabstane Inter porcas terrarum diue trinitatis ex orientali croftam Alexandri leich ex occidentali viam publicam ex australi ac croftam georgii Watsoun ex boreali partibus Croftam vocaſ Cunyngharhillis Iaceñ inter cunicularium de Abirdene ex orientali viam publicam ex occidentali croftam gilberti Williamesoun ex australi et lie gallowhillis ex boreali partibus Duas

or to the White Friars of Aberdeen, and now belong to us as part of the property of our crown, through the general order thereanent, and also came into our hands in virtue of our last general revocation executed with respect to the same—namely : That croft called the Yard Croft, lying between the land and croft of Adam Mar on the east, the Womanshill on the west, the house of Gilbert Anderson, called the Blackfriars Manse and Kirk, on the south, and the Loch on the north ; the croft of land called the Sow Croft, lying between the public road on the east, the Denburn on the west, the croft of George Harow on the south, and the common road on the north ; the croft called Craigwell Croft, lying between the croft of Master Gilbert Bisset on the east, the croft of George Watson on the west, the croft of Andrew Dun on the south, and the public road on the south [north?]; three rigs of land lying near the Crabstane between the parks of the Holy Trinity on the east, the croft of Alexander Leith on the west, the public road on the south, and the croft of George Watson on the north ; the croft called Cunningarhills, lying between the rabbit warren of Aberdeen on the east, the public road on the west, the croft of Gilbert Williamson on the south, and the Gallowhills on the north ; two parks of land called Filthy Coppis,*

* In earlier deeds the name of this croft appears as 'Filyecope' (1477) and 'Phillecop' (1529). The form 'Fill the Cap' is used in the 17th century.

porcas terrarum vocat filthy coppis Iaceñ inter futismyre ex orientali viam publicam ex occideñ croftam Alexandri cullane ex australi et croftam Ioannis Irwing ex boreali partibus Duas porcas terrarum lie riggis Iaceñ in fluris inter lie gallowhillis ex orientali publicam viam ex occideñ croftas Alexandri Malysoun ex australi et croftam olim ad gilbertum kintor pertineñ ex boreali partibus Porcam terre vocat barbouris croft Iaceñ inter viam publicam ex orientali lie crukit myre ex occidentali croftam mañri Roberte lūmisdane ex australi et croftam Alexandri Rutherfurde ex boreali partibus Vnam porcam terre Iaceñ inter cōmune cunicularium ex orientali croftam Willelmi vmphray ex occidentali vinellam vocat garrakis Wynd ex australi et croftam Alexandri Cullane ex boreali Vnam porcam terre Iaceñ in fittieland Inter cōmune cunicularium ex orientali torrentem vocat ye trinitie burne ex occidentali croftam gilberti gray ex australi et croftam Iacobi blak ex boreali Vnam porcam Iaceñ prope lie gallowgaitheid inter lie gallowhillis ex orientali viam publicam ex occidentali croftam Andree Iak ex australi et croftam Andree Malysoun ex boreali vnam omnibus et singulis terris croftis horreis mansionibus et hortis ad predictos fratres predicatorum perprius pertinentibus Acetiam omnes et singulas croftas terras et

lying between Futtie's Mire on the east, the public road on the west, the croft of Alexander Cullane on the south, and the croft of John Irving on the north; two rigs of land lying in the Floors, between the Gallowhills on the east, the public road on the west, the crofts of Alexander Malyson on the south, and the croft formerly belonging to Gilbert Kintor on the north; the park of land called Barbour's Croft lying between the public road on the east, the Crooked Mire on the west, the croft of Master Robert Lumsden on the south, and the croft of Alexander Rutherfurd on the north; one park of land lying between the common rabbit warren on the east, the croft of William Umfray on the west, the vennel called Garrakis Wynd on the south, and the croft of Alexander Cullane on the north; one park of land lying in the land of Futtie between the common rabbit warren on the east, the stream called the Trinity Burn on the west, the croft of Gilbert Gray on the south, and the croft of James Black on the north; one park of land lying near the Gallowgaithead between the Gallowhills on the east, the public road on the west, the croft of Andrew Jack on the south, and the croft of Andrew Malyson on the north; together with all lands, crofts, barns, dwelling-houses and yards, belonging formerly to the foresaid Friars Preachers. And also all and sundry crofts, lands, and others under-written pertaining and belonging to the

alia subscript ad fratres albos vocat lie quhyte freiris de Abirdene spectan et pertineñ viž Croftam vocat lie dowcat croft Iaceñ inter croftam martini howesoun ex orientali croftam vocat langlandis ex occidentali viam publicam ex australi et croftam georgii Watsoun ex boreali Croftam vocat langlandis Iaceñ inter croftam mağri gilberti bisset ex orientali croftam duncani Donaldsoun ex occidentali viam publicam ex australi et croftam martini howesoun ex boreali Croftam vocat Pyno'nuke Iaceñ inter lie Denburne ex orientali et croftas gilberti Menzeis ex occidentali fyndmark ex australi et viam publicam ex boreali croftam vocat ladycroft Iaceñ inter lie pynour croft ex orientali croftam Martini howesoun ex occidentali croftam mağri Iacobi burnet ex australi et croftam diui Ioannis ex boreali Croftas vocat cuttingis Iaceñ inter croftam mağri Iacobi burnet ex orientali croftam Martini howesoun ex occidentali Terras gilberti menzeis senioris ex australi et octo rodas lie ruddis ex boreali partibus Octo rodas seu particatas lie ruddis Iaceñ inter croftam georgii Watsoun ex orientali croftam gilberti gray ex occideñ croftam martini howesoun ex australi et viam publicam ex boreali Croftam vocat pringillis croft Iaceñ inter croftam Ioannis Andersoun ex orientali Roblaw ex occidentali croftam gilberti gray ex australi et croftam

White Friars of Aberdeen, namely: The croft called the Dowcot Croft, lying between the croft of Martin Howeson on the east, the croft called Langlands on the west, the public road on the south, and the croft of George Watson on the north; the croft called Langlands, lying between the croft of Master Gilbert on the east, the croft of Duncan Donaldson on the west, the public road on the south, and the croft of Martin Howeson on the north; the croft called Pynour-neuk, lying between the Denburn on the east, and the crofts of Gilbert Menzies on the west, the Fyndmark on the south, and the public road on the north; the croft called Lady Croft, lying between the Pynour Croft on the east, the croft of Martin Howeson on the west, the croft of Master James Burnet on the south, and the croft of Saint John on the north; the crofts called Cuttings, lying between the crofts of Master James Burnet on the east, the croft of Martin Howeson on the west, the lands of Gilbert Menzies, the elder, on the south, and the eight roods on the north; eight roods or particates, lying between the croft of George Watson on the east, the croft of Gilbert Gray on the west, the croft of Martin Howeson on the south, and the public road on the north; the croft called Pringill's Croft, lying between the croft of John Anderson on the east, Rubislaw on the west, the croft of Gilbert Gray on the south, and the croft of

gilberti collesoun ex boreali partibus Vnam croftam Iaceñ inter croftam georgii Watsoun ex orientali croftam fratrum predicatorum ex occidentali croftam Duncani donaldsoun ex australi et croftam mağri gilberti bisset ex boreali vnacum omnibus aliis et singulis terris croftis ānuis redditibus horreis tenemētis et mansionibus ad predictos fratres albos pertinentibus Iaceñ infra vicecomitatum nřm de Abirdene Necnon cum omnibus et singulis terris tenementis domibus edificiis ecclesiis capellis hortis pomeriis croftis ānuis redditibus fructibus deuoriis emolumētis firmis elemosinis pecunia largitoria et obitus lie daill siluer et obittis et āniuersariis quibuscunq, que quouismodo pertinuerunt seu pertinere dinoscuntur ad quascunq, capellantias prebendas seu alteragia in quibuscunq, ecclia capella seu collegio infra libertatem dicti burgi nři de Abirdene per quamcūq, personā seu patronū fundat in quarum possessione capellani et prebendarii earundem perprie extiterunt vbicunque infra regnū nřm Iacent vel tēpribus retroactis percipi consueuerunt Acetiam cum omnibus et singulis terris domibus et tenementis intra dictum nřm burgum et libertatem eiusdem cum omnibus ānuis redditibus de domibus edificiis terris seu tenementis Intra dictum nřm burgum datis dotatis ac

Gilbert Colleson on the north; one croft lying between the croft of George Watson on the east, the croft of the Friars Preachers on the west, the croft of Duncan Donaldson on the south, and the croft of Master Gilbert Bisset on the north; together with all and sundry other lands, crofts, annual rents, barns, tenements, dwelling-houses, belonging to the foresaid White Friars, lying within our sheriffdom of Aberdeen; as well as with all and sundry lands, tenements, houses, buildings, churches, chapels, yards, orchards, crofts, annual rents, fruits, duties, emoluments, rents, alms, daill silver * and obits, and anniversaries whatsoever, which in any way belonged or are distinguished as belonging to chaplainries, prebends, or altarages whatsoever, founded by person or patron whatsoever, in church, chapel or college whatsoever, within the freedom of our said burgh of Aberdeen, in possession of which the chaplains and prebendaries of the same formerly were, wheresoever within our kingdom they lie, or in times past used to be gathered; and also with all and sundry lands, houses and tenements within our said burgh and freedom thereof, with all annual rents from houses, buildings, lands or tenements within our said burgh, given, endowed and founded to

* *Daill Silver*—Money for distribution among the clergy on a foundation. *Jamieson's Dictionary*.

fundatis quibuscunq, capellaniis alteragiis ecclesie mortuariis seu inuener-
sariis vbicunq, infra regnū nrm existē Necnon cum omnibus et singulis
annuis redditibus aliisq, deuoriis quot antea percipi consueuerunt seu
acclamari poterint per quamcunq, ecclesiam extra dictum nrm burgum a
preposito et balliuis eiusdem de eorum republica seu cōmuni bono
Tenendas et habendas Omnes et singulas prenōiatas terras croftas tene-
menta hortos mansiones ac alia tam particulariter quam generaliter
supra script cum suis pertinentiis predictis preposito balliuis consuli et
cōmunitati ac successoribus suis de nobis et successoribus nris Imper-
petuū prout Iacent in longitudine et latitudine In domibus edificiis boscis
planis moris marresiis viis semitis aquis stagnis riolis pratis pascuis et
pasturis molendinis multuris et eorum sequelis Aucupationibus vena-
tionibus piscationibus petariis turbariis carbonibus carbonariis cuniculis
cuniculariis columbis columbariis fabrilibus brasinis brueriis et genestis
siluis nemoribus et virgultis lignis tignis lapicidiis lapide et calce Cum
curiis et earum exitibus herezeldis bludewitis et mulierum merchetis
Cum cōmuni pastura libero introitu et exitu Ac cum omnibus aliis et

chaplainries, alterages, church burials or anniversaries whatsoever, wheresoever
in existence within our kingdom ; as well as with all and sundry annual rents and
other duties, which used formerly to be gathered or could be claimed by any
church whatsoever outwith our said burgh, from the provost and baillies thereof,
out of their general fund or common good. To be held and had all and sundry
the aforenamed lands, crofts, tenements, yards, mansions, and others above set
forth as well in detail as generally, with their pertinents, by the foresaid provost,
baillies, council and community, and their successors, of us and our successors
for ever, as they lie in length and breadth, in houses, buildings, forests, plains,
moors, marshes, roads, paths, ponds, streams, meadows, pastures and pasturages,
mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries,
coals, coal-pits, rabbits, rabbit-warrens, pigeons, dovecots, smithies, brew houses,
heath and broom, woods, groves and thickets, firewood, timber, quarries, stone
and lime, with courts and their issues, herizelds, bloodwits, and merchets of
women,* with common pasture, free ish and entry, and with all other and sundry

* "*Herizeld* or heriot is the best horse or ox—the best animal—the best aucht—*optimum averium* of the vassal, which became the property of the lord on his decease."

Bloodwit "means the jurisdiction in assaults where there is bloodshed, and where the *wite* or fine was to the lord of the court. The fine varied one-third as the wound was above or below the breath."

singulis libertatibus cōmoditatibus proficuis asiamentis ac Iustis suis pertineñ quibuscunq, Tam non nōiatis quam nominatis tam subtus terra quam supra terram procul et prope ad predic̃ terras croftas tenementa hortos mansiones ac alia suprascript̃ cum suis pertineñ spectañ seu Iuste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua reuocatione contradictione Impedimento aut obstaculo aliquali Cum p̃tate dictis preposito balliuis consuli et cōmunitati ac successoribus suis per se ipsos suosq, collectores quos constituere placuerint prefatos ānuos redditus fructus deuoria proficua et emolumenta quecumq, percipiendi et leuandi vbicunq, antea percipi consueuerunt ac eadem pro sustentatione pauperum hospitalium et gymnasiarum aliosq, vsus pios intra dictum ñm burgum applicandi dictas terras et tenementa tenentibus assedandi et locandi ac eos remouendi Adeo libere sicuti prebendarii capellani et alii suprascripti eisdem antea gaudere et possidere poterint ad effectum et vsum antedictum Ad hec

liberties, conveniences, profits, easements, and their just pertinents whatsoever, as well not named as named, as well under the ground as above the ground, far and near, belonging, or which may justly belong in any way in time to come, to the foresaid lands, crofts, tenements, yards, mansions, and others above-written, with their pertinents; free, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, hindrance, or obstacle of any kind; with power to the said provost, baillies, council and community, and their successors, of gathering and uplifting, by themselves and by their collectors, whom they shall please to appoint, the foresaid annual rents, fruits, duties, profits and emoluments whatsoever, wheresoever they used formerly to be gathered, and of applying the same to the support of the poor's hospitals and gymnasia, and to other pious uses within our said burgh, of setting and letting the said lands and tenements to tenants, and of removing these, as freely as the prebendaries, chaplains and others above-written could formerly enjoy and possess the same for the purpose and use aforesaid.

Merchets of women. "Some learning has been brought to show that, on the Continent, this tax—*mercheta mulierum*—represented an ancient seignorial right—the *jus prima noctis*. I have not looked carefully into the French authorities; but I think there is no evidence of a custom so odious existing in England; and in Scotland, I venture to say that there is nothing to ground a suspicion of such a right. The merchet of women with us was simply the tax paid by the different classes of bondmen and tenants and vassals, when they gave their daughters in marriage, and thus deprived the lord of their services, to which he was entitled *jure sanguinis*." Cosmo Innes' *Scotch Legal Antiquities*, pp. 54, 60, 53.

See also the *Transactions of the Society of Antiquaries of Scotland*, Vol. III., p. 56.

considerantes quam magna fraude fratres prebendarii et capellani superscripti post aboletam papisticam religionem et superstitionem alienauerunt delapidauerunt et resignarunt in manibus particulariū hominū terras croftas ānuos redditus tenementa et alia respectiue perprius mortificata Ac q̄ diuersi n̄ri liegii Ius ad quasdam terras tenementa et ānuos redditus antea mortificaī pretenderunt et acclamarunt per breuia capelle n̄re ac alias sasinam eorundem tanq^a heredes eorum predicesoribus qui easdem antea dotarunt susceperunt que sequuta sunt partim negligentia officiariorum dicti n̄ri burghi ac partim collusione fratrum prebendariorum et capellanaŕū superius spectificaī Ideo nos cum auisamento dictorum dñorum tenore p̄tis carte n̄re rescindimus et ānullamus omnes et singulas tales alienationes dispositiones et sasinas quouismodo datas et confectas in alterationem et mutationem prioris propositi intentionis et mentis fundatorum earundem et eas in particulares vsus cōuertendo Sic q̄ eadem ad vsus superscriptos conuerti et applicari poterint Quamquidem declarationem volumus tanti valoris roboris et effectus fore Ac si persone obtentores dictarum dispositionū particulariter vocate fuissent ac earum infeofamenta ordinario Iuris cursu seu processu rescinderentur Necnon cum auisamento antedicto vnimus et incorporamus omnes et

Further, taking into consideration how dishonestly the friars, prebendaries and chaplains above-written, after the abolition of the popish religion and superstition, alienated, damaged and resigned into the hands of private persons, the lands, crofts, annual rents, tenements, and others respectively, formerly mortified, and that diuers of our lieges have asserted and claimed, by brieves of our chancery, the right to certain lands, tenements and annual rents formerly mortified, and otherwise have obtained sasine of the same as heirs of their predecessors who formerly gifted the same; which happened partly through the negligence of the officials of our said burgh, and partly through the collusion of the friars, prebendaries and chaplains above mentioned: We, therefore, with the advice of the said lords, do, by the tenor of our present charter, rescind and annul all and sundry such alienations, dispositions and sasines, in whatsoever manner given and completed in alteration and change of the former purpose, intention and design of the founders, and for the conversion of the same to particular uses, so that the same may be converted and applied to the uses above-written, which declaration it is our will shall be of equal value, strength and effect as if the grantees of the said dispositions had been individually summoned and their infeftments rescinded by ordinary course or process of law. Moreover, with the advice aforesaid, we unite

singulas terras croftas tenementa domus edificia templa templorum hortos capellas pomeria hortos ānuos redditus fructus deuoria proficua emolumēta firmas elemosinas obitus aniuersaria cum suis pertinen in vnū corpus nřam fundationem de Abirdene in futurum nūcupandū Ac volumus q vnica sasina semel per predictos prepositum et balliuos vel eorum aliquem apud pretoriū dicti nři burgi Adeo sufficiens erit sasina pro perpetuo in futurū ac si eadem super particularibus terris croftis tenementis et aliis supradictis suscepta fuisset Non obstante distantia locorū Et q in diuersis locis seu partibus Iacent Preterea uolumus q fratres prebendarii et capellani ab antiquo prouisi ante aboletam superstitionem antedictam per hanc pñtem infeodacionem non preiudicentur sed ipis vsum dictorum fructuū et deuoriorum durante eorum vita tantum Secundum ratam reseruamus Quare tenore pñtis carte nře mandamus computorum rotulatori collectori generali pñtibus et futuris eorumq collectoribus et factoribus ac ōnibus aliis interesse pretendentibus vt nemo eorum presumat fructus deuoria et alia particulariter suprascripta pro aliquo tempore preterito seu futuro percipere seu leuare nec Impedimētum aliquod predictis preposito balliuis consuli cōmunitati et successoribus suis in pacifica gauisione et possessione eorundem inferre

and incorporate all and sundry the lands, crofts, tenements, houses, buildings, temples, temple yards, chapels, orchards, yards, annual rents, fruits, duties, profits, emoluments, rents, alms, obits, with their pertinents, into one body to be styled in time to come our foundation of Aberdeen. And it is our will that a single sasine, taken once for all by the foresaid provost and baillies, or any one of them, at the townhouse of our said burgh shall be as effective a sasine for ever in time to come as if the same had been taken on the individual lands, crofts, tenements, and others above-written, notwithstanding the distance of the places, and that they lie in diverse places or parts. Further, it is our will that the friars, prebendaries, and chaplains of old provided for, before the abolition of the superstition aforesaid, shall not be prejudiced by this present infestment, but we reserve for them, according to their shares, the use of the said fruits and duties, during their lives only. Wherefore, by the tenor of our present charter, we direct the comptroller, collector general, present and to come, and their collectors and agents, and all others professing to be interested, that none of them shall make bold to gather or uplift the fruits, duties, or others above set forth in detail for any period past or to come, or to hinder in any way the foresaid provost, baillies, council and community, and their successors, from peacefully

preterea requirimus dñs nři consilii et sessionis alias nřas literas in quatuor formis ad instantiam prepositi balliuorū consulum et cōmunitatis dicti nři burgi dirigere Ad causandum eos eorumq, factores ac alios eorum nominibus de omnibus et singulis prenōiatis terris croftis tenementis domibus edificiis fructibus deuoriis et aliis particulariter superscriptis ac nullis aliis in futurum responderi ad effectus supra specificatos In Cuius rei Testimoniū huic pāti carte nře magnum sigillum nřm apponi precepimus Testibus predilecto nřo consanguineo et consiliario Colino Argadie comite dño Campbell et lorne etc Cancellario ac Iusticiario nřo generali Reuerendissimo ac venerabilibus in xpo patribus Patricio Sancti-andree Archiepo Roberto cōmendatario mo^{ra} nři de dunfermeling nřo secretario Waltero cōmendatario prioratus nři de blantyre nři secreti sigilli custode dilectis nřis familiaribus et consiliariis Alexandro hay nřorum rotulorum regri ac consilii clerico Iodouico bellendeñ de Auchnoule milite nře Iusticiarie clerico Et Roberto Scott nře Cancellarie direttore Apud Striuiling vicesimo sexto die mensis Octobris Anno dñi millesimo quingentesimo Octuagesimo tertio Et Regni nři decimo septimo

enjoying and possessing the same. Further, we require the Lords of our Council and Session to direct our other letters in four forms * at the instance of the provost, baillies, councillors and community of our said burgh, to cause them and their factors and others in their names in future to account for all and sundry the before-named lands, crofts, tenements, houses, buildings, fruits, duties, and others above written in detail, and no others, to the effect above specified. In witness whereof we have ordered our great seal to be appended to this our present charter. Witnesses: Our well-beloved cousin and councillor, Colin, Earl of Argyll, Lord Campbell and Lorne, etc., our Chancellor and Justiciar General; the very reverend and the venerable fathers in Christ, Patrick, Archbishop of Saint Andrews; Robert, Commendator of our Monastery of Dunfermline, our Secretary; Walter, Commendator of our Priory of Blantyre, Keeper of our Privy Seal; our beloved familiars and councillors, Alexander Hay, Clerk of the Rolls, Register, and Council; Lewis Bellenden of Auchnoule, Knight, Clerk of our Justiciary; and Robert Scott, Director of our Chancery. At Stirling, the twenty-sixth day of the month of October in the year of our Lord one thousand five hundred and eighty-three, and of our reign the seventeenth.

* *Letters in four forms.* "The first was a charge to pay or perform, without any certification; the second was a charge to the same effect, but with certification that horning would follow; the third was horning; the fourth was caption."—*Stair's Institutions*, IV. 47, § 2.

XXXIV.

JACOBUS Dei gratia Rex Scotorum OMNIBUS probis hōibus totius terre sue clericis et laicis Salutem SCIATIS NOS quandam cartam et infeofamentum feudifirme assedationis et locationis factam datam et concessam per quond' Gavinū Episcopum Abirdoneñ cum express auisamento consensu et assensu decani et capituli ecclie cathedralis Abirdoneñ dilectis nostris quondā Gilberto Menzeis preposito balliuis consilio et communitati burgi nři de Abirdene pro tempore et suis successoribus prepositis balliuis consilio et communitati dicti nři burgi pro tempore De totis et integris terris de Ardlair cum vniuersis suis pertineñ laccñ infra dominium et schirā de Clate comitatum de Gareoeche ac Vice nřm de abirdene ad sustentationem manutentionem reparationem et quum opus fuerit Reedificationem noui lapidii pontis super fluuio seu aqua de Die prope idem nřm burgum de Abirdene inter terras de Kincorth ad abbatem et conuentū de Abirbrothok spectañ ex aus-

XXXIV.

King James VI. confirms to the provost, baillies, etc., of Aberdeen, a grant made (4th December, 1529) by Bishop Gavin Dunbar of the lands of Ardlair, for the upkeeping of the Bridge of Dee. 12th May, 1587.

JAMES, by the grace of God King of Scots, to ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE THAT WE have fully considered a certain charter and infestment of feufarm, assedation and lease—by our command seen, read, inspected and diligently examined—being whole, entire, not erased, not cancelled or suspected in any part thereof—made, given and granted by umquhile Gavin, Bishop of Aberdeen, with express advice, consent and assent of the dean and chapter of the cathedral church of Aberdeen, to our beloved Gilbert Menzies, provost, the baillies, council and community of our burgh of Aberdeen for the time being and their successors, provosts, baillies, council and community of our said burgh for the time; of all and whole the lands of Ardlair, with their entire pertinents, lying within the lordship and parish of Clatt, the earldom of Garioch, and our sherifffdom of Aberdeen, for the up-keeping, maintenance, repair, and, when it shall be necessary, the rebuilding of the new stone bridge across the river or water of Dee, near our burgh of Aberdeen, between the lands of Kincorth, belonging to the abbot and

trali et terras de Ruderistoun ad heredes quondā Henrici Leicht olim de barnis spectāñ ex boreali partibus earundem Teneñ de dicto episcopo et suis successoribus pro solutione ānuatim viginti sex solidorum et octo denariorum nomine feudifirme tantum de Mandato n̄ro visam lectam inspectam et diligenter examinatam sanā Integram non rasam non cancellatam nec in aliqua sui parte suspectam Ad plenū intellexisse sub hac forma

Omnibus hanc cartam visuris vel audituris Gavinus miseratione diuina Abirdoneñ Ēpus Salutem in Dño Sempiternam Noueritis nos cum consensu et assensu ac auisamento decani et capti n̄re ecclie cathedralis Abirdoneñ ad hoc specialiter die capitulari per sonū campane maioris vt moris est captr congregatorum vocatisq̄ vocandis et interesse habeñ et pretendeñ precedente solemnī tractatu matura deliberatione prehabita ecclesieq̄ n̄re cathedralis Abirdoneñ atq̄ reipublice ac regni Scotie vtilitate consideratis dedisse concessisse alienasse ac imperpetuum confirmasse Necnon dare concedere alienare et hac p̄nti carta n̄ra confirmare imperpetuum dilectis nostris Gilberto Menzeis preposito balliuis consilio et communitati burgi de Abirdene et suis successoribus prepositis balliuis consilio et communitati pro tempore eiusdem burgi de Abirdene [totas et integras terras de Ardlair

convent of Arbroath, on the south side, and the lands of Ruthrieston, belonging to the heirs of umquhile Henry Leith, late of Barnes, on the north side thereof; to be held of the said bishop and his successors for an annual payment of twenty-six shillings and eight pence, in name of feu-duty only—in this form:—

“To all who shall see or hear this charter, Gavin, by divine mercy Bishop of Aberdeen, eternal greeting in the Lord. Know ye that, with consent and assent and advice of the dean and chapter of our cathedral church of Aberdeen, specially assembled as a chapter for this purpose, on a chapter day, by sound of the greater bell, as is the custom; and all being summoned who should be summoned, and who have, or pretend an interest, after previous solemn discussion, mature deliberation, and consideration of the wellbeing of our cathedral church of Aberdeen, and of the commonwealth and kingdom of Scotland, we have given, granted, alienated and for ever confirmed, and do give, grant, alienate, and by this our present charter for ever confirm, to our beloved Gilbert Menzies, provost, the baillies, council and community of the burgh of Aberdeen, and to their successors, provosts, baillies, council and community for the time being of the said burgh of Aberdeen, All and whole our lands of Ardlair, with

cum vniuersis suis pertineñ Iaceñ infra dominium et schirā de Clate comitatum de Gareoch ac Vice nrm de abirdene] ad sustentationem manutentionē reparationem et cum opus fuerit Reedificationē noui lapidij pontis super fluuio seu aqua de Die prope idem burgum de Abirdene inter terras de Kincorth ad abbatem et conuentum de Abirbrothok ex australi et terras de Ruderistoun ad heredes quond' Henrici Licht olim de barnis spectañ ex boreali partibus Quequidem terre de Ardlair cum pertinentiis allegať fuerūt perprius hereditarie pertinere Andree Levingstoun* de solmys ac de nobis et etiam nra ecclesia cathedrali Abirdoneñ per seruitiū feodifirme tente in capite Et ob non exhibitionem seu ostentationem carte sue infeodationis dictarum terrarum nobis vt de jure tenebatur per nostros legitimos processus prout iuri congruit prefato Andrea ceterisq, omnibus ad easdem terras cum pertinentiis interesse habentibus seu jus in eisdem quomodolibet habere pretendeñ ad instantiam nram super premiss' legittime citatis sepiusq, vocatis suisq, contumacijs legittime accusatis cuius ob quā causam et alias rationabiles causas nobis et successoribus nris ad perpetuo in proprietate permanendum adiudicate fuerāt ac lap̃ anno et die ad plegium

their entire pertinents, lying within the lordship and parish of Clatt, earldom of Garioch and sheriffdom of Aberdeen, for the upkeeping, maintenance, repair, and, when it shall be necessary, the rebuilding of the new stone bridge across the river or water of Dee, near the same burgh of Aberdeen, between the lands of Kincorth, belonging to the abbot and convent of Arbroath, on the south side, and the lands of Ruthrieston, belonging to the heirs of umquhile Henry Leith, late of Barnes, on the north side: which lands of Ardlair, with the pertinents, were alleged formerly to pertain in heritage to Andrew Livingston of Solmys, and were held in chief of us, and also of our cathedral church of Aberdeen, by the service of feufarm; and by reason of his not exhibiting or producing to us his charter of infestment of the said lands, as by right he was bound to do, the foresaid Andrew, and all others having interest in, or pretending in any way to have right to the said lands, with their pertinents, being agreeably to justice cited by our processes of law anent the premisses at our instance, and often summoned, and lawfully accused of contumacy; wherefore, and for other reasonable causes [the said lands] had been adjudged to us and to our successors, to remain in property for ever, and, after the lapse of the cautionary year and day having been neither

* So in *Registrum Magni Sigilli*: but "Elphinston de Selmys" in *Registrum Episcopatus Aberdonensis*, Spalding Club Edition, Vol. I., p. 393.

minime dimisit seu petitis [*sic*] in rem judicatā transierunt Et quas etiam terras de Ardlair cum pertinentijs idem Andreas non vi aut metu ductus nec errore lapsus de sua mera libera ac spontanea voluntate pro quadam certa summa pecunie per nos eidem Andree in sua magna et vrgenti necessitate persoluta in manibus nris tanquā in manibus domini superioris earundem cum omni iure et iuris clameo titulo proprietate et possessione si quod quem aut quam habet habuit aut habere potuit in seu ad huiusmodi terras cum pertinentijs per fustum et baculum ad perpetuam remanentiam pure et simpliciter resignavit cessit et dimisit prout in processibus et instrumentis publicis desuper confectis latius continetur Teneñ et haberi totas et integras terras nras de Ardlair predicti cum pertineñ supradictis prepositis balliuis et communitate de Abirdene et burgi predicti et suis successoribus prepositis balliuis et communitate pro tempore eiusdem burgi de nobis et successoribus nostris Eps Abirdoneñ in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine in boscis planis moris maresijs viis semitis aquis stagnis riuolis pratis pascuis pasturis molndinis multuris et eorum sequelis aucupationibus venationibus piscationibus petarijs turbarijs carbonarijs colum-

restored nor claimed, became so finally. And which lands of Ardlair, with the pertinents, the said Andrew, not influenced by force or fear, nor led astray by error, but of his own accord and free will, in return for a certain sum of money paid by us to the said Andrew in his great and urgent need, did, for ever, by staff and baton, purely and simply resign, grant and demit into our hands, as into the hands of the superior thereof, with all right and claim of right, title, property and possession which he has, had, or could have, in or to such lands, with the pertinents, as in the processes and public instruments thereanent executed is more fully set forth. To be held and had all and whole our foresaid lands of Ardlair, with the pertinents, by the above-mentioned provosts, baillies and community of Aberdeen and the foresaid burgh, and by their successors, provosts, baillies and community for the time being of the same burgh, from us and our successors, bishops of Aberdeen, in fee and heritage for ever, by all its true ancient meiths and marches, as they lie in length and in breadth, in forests, plains, moors, marshes, roads, paths, ponds, streams, meadows, pastures, pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coal pits, dovecots, rabbits, rabbit warrens, yards, orchards, stone and

barijs cuniculis cunicularijs hortis pomarijs lapide et calce lapicidijs
 fabrilibus brasinis bruerijs et genestis cum curijs et earum exitibus
 herezeldis bluduitis et mulierum merchetis cum cōi pastura consueta
 et vsitata cum libero introitu et exitu Ac cum oībus alijs et
 singulis libertatibus commoditatibus asiamētis et justis suis pertinentijs
 quibuscunq, tam non noīatis quā noīatis tam subtus terra q^m supra
 terram procul et prope ad predictas terras cum pertineñ spectañ seu
 iuste spectare valeñ quomodolibet in futurum et adeo libere quiete
 plenarie integre honorifice bene et in pace sine impedimento reuo-
 catione aut contradictione aliquali In omnibus et per omnia sicuti
 alique tales terre infra regnū Scotie habentur tenētur seu possiden-
 tur Reddendo inde prenoiāti prepositi balliui et communitas burgi
 de Abirdene predicť et sui successores prepositi balliui et coiņas pro
 tempore eiusdem burgi de Abirdene pro perpetuo ānuatim nobis et
 successoribus nris Epīs Abirdoneñ viginti sex solidos octo denarios
 vsualis monete regni Scotie ad duos anni terminos consuetos festa
 Viž penthecostes et Sancti Martini in hyeme per equales duas medias
 portiones nobis prius ante dictam resignationē seu recognitionem ānu-
 atim debitos unacum sustentatione manutentione reparatione construc-
 tione et reedificatione cum opus fuerit predicť noui pontis super aqua

lime, quarries, smithies, brew houses, broom and heath ; with courts and their
 issues, herizelds, bloodwits, and merchets of women, with common pasture used
 and wont, free ish and exit ; and with all and sundry other liberties, easements,
 and their just pertinents whatsoever, as well not named as named, as well
 under the earth as above the earth, far and near, belonging, or which may
 in any way come to belong in future to the foresaid lands, with their perti-
 nents ; and as freely, quietly, fully, wholly, honourably, well and in peace,
 without any hindrance, revocation or challenge, in all and through all, as any
 such lands within the kingdom of Scotland are had, held or possessed.
 Paying therefor yearly the above-named provost, baillies and community of
 the foresaid burgh of Aberdeen, and their successors, provosts, baillies and
 community for the time being of the same burgh of Aberdeen, for ever, to us and
 our successors, bishops of Aberdeen, twenty-six shillings and eight pence usual
 money of the kingdom of Scotland, at the two customary yearly terms, the feasts,
 namely, of Pentecost and St. Martin in winter, by two equal portions, due to us
 yearly before the said resignation or recognition, together with the upkeeping,
 maintenance, repair, construction and rebuilding, when need be, of the foresaid

seu fluuio de Die per nos strati structi et edificati secundum vim tenorem effectum et continentiam cuiusdem obligationis per prepositum balliuos et communitatem burgi de Abirdene prefat desuper nobis pro se et suis successoribus nobis et successoribus nris episcopis Abirdonen facte prout in eadem de data Apud Abirdene die decimo quarto mensis Decembris anno Domini millesimo quingentesimo vigesimo nono latius continetur nomine feudifirme tantum pro omni alio onere seruitio exactione vel demanda que de dictis terris cum pertineñ quouismodo exigi poterint vel requiri Et nos antedictus Gavinus Abirdoneñ Epūs nriq, successores episcopi Abirdoneñ Omnes et singulas predictas terras de Ardlair cum pertineñ prefatis preposito balliuis et communitati dicti burgi de Abirdene et suis successoribus prepositis balliuis et communitati eiusdem pro tempore In omnibus et per omnia forma pariter et effectum vt premissum est contra omnes mortales warrantizabimus acquietabimus et imperpetuum defendemus In cuius rei testimonium sigillum nostrum autenticum necnon sigillum cōmune capti nri Abirdoneñ predicti huic presenti carte nre in signum sui consensus sunt appensa Et eandem manu nra et manibus decani et canonicorum Abirdoneñ capituli Abirdoneñ pro tempore pñtium subscriptimus [*sic*]

new bridge across the water or river of Dee, by us built, constructed and erected, according to the tenor, effect and contents of a certain obligation, made to us thereanent by the provost, baillies and community of the burgh of Aberdeen aforesaid, for themselves and their successors, to us and our successors, bishops of Aberdeen, as in the same, of date, at Aberdeen, the fourteenth day of the month of December in the year of our Lord one thousand five hundred and twenty-nine, is more fully set forth, in name of feufarm only, in place of all other burden, service, exaction or demand, which from the said lands, with the pertinents, could in any way be exacted or demanded. And we, the foresaid Gavin, Bishop of Aberdeen, and our successors, bishops of Aberdeen, shall against all living warrant, acquit and for ever defend all and sundry the foresaid lands of Ardlair, with the pertinents, to the foresaid provost, baillies and community of the said burgh of Aberdeen, and their successors, provosts, baillies and community thereof for the time being, in all and through all, in like form and effect as aforesaid. In witness whereof our authentic seal, as well as the seal of our chapter of Aberdeen, are appended to this our present charter in sign of their consent; and we have subscribed the same with our hand, and with the hands of the dean and canons of Aberdeen of the chapter of Aberdeen for the time being. At the

Apud ciuitatem Abirdoneñ decimo quarto die mensis Decembris anno Domini millesimo quingentesimo vicesimo nono Coram testibus Viñ nobili et potenti domino Georgio comite de Huntlie venerabili patre Georgio priore de Plusquardin coadiutorum [*sic*] nño et successore nobilibus venerabilibusq, et discretis viris magistris et dominis Waltero Ogilvie de Monycalbek Johanne Keith de Ravyniscraig Hectore Boetio sacrarum literarum possessorum [*sic*] colegij Abirdoneñ primario Willielmo Hay earundem literarum bachalario Willielmo Hay et Davide Makesoun notarijs publicis cum diuersis alijs

QUAMQUIDEM cartam feudifirme et infeofamentum assedationem et locationem in eadem contentā in oībus suis punctis et articulis conditionibus et modis ac circumstantijs suis quibuscunq, in omnibus et per omnia forma pariter et effectū vt premissum est Approbamus Ratificamus ac pro nobis et successoribus nñs pro perpetuo CONFIRMAMUS Salvis et reseruatis nobis et successoribus nñs iuribus seruitijs ac precibus prenoīatarum terrarū ante hanc pñtem confirmationem inde solui solitis et consuetis Preterea Volumus et concedimus ac pro nobis et successoribus nñs pro perpetuo Decernimus et ordinamus q, hec pñs nña confirmatio est et erit tanti roboris fortitudinis et efficacie dictis preposito balliuis consulibus et communitati dicti nñi burgi de Abirdene et eorum suc-

city of Aberdeen, the fourteenth day of the month of December in the year of our Lord one thousand five hundred and twenty-nine, before witnesses, namely, the noble and potent lord, George, Earl of Huntly; the venerable father, George, Prior of Pluscarden, our coadjutor and successor; the noble and venerable and discreet men, masters and sirs, Walter Ogilvie of Monycabock, John Keith of Ravenscraig, Hector Boece, Professor of Divinity and Principal of the College of Aberdeen, William Hay, Bachelor of Divinity, William Hay and David Mackeson, Notaries Public, with diverse others."

WHICH charter of feufarm and infestment, assedation and lease therein contained, in all its points and articles, conditions and forms, and its circumstances whatsoever, in all and through all, in like form and effect, as aforesaid, we approve, ratify, and for us and our successors for ever CONFIRM—saving and reserving for us and our successors our rights, services and prayers of the above-named lands, used and wont to be paid before this present confirmation. Further, we will and grant, and for us and our successors for ever decree and ordain, that this our present confirmation is and shall be of as much strength, force and efficacy, to the said provost, baillies, councillors and community of our said burgh of Aberdeen,

cessoribus pro ipsorum perpetua et hereditaria gauisione et possessione prefatarum terrarum de Ardlair cum suis pertineñ Acsi eadem per nos aut predicessores nřos per cartam nřam confirmationis nřo sub magno sigillo in maiori forma aut per bullas et prouisiones in curia Romana ante sasinam de predictis terris per ipsos suscepť Et ante acta parliamenti leges  t constitutiones in contrarium fact  data et confirmata fuisse non obstante eisdem seu aliquibus penis et clausulis in eisdem contenť Circa qua et omnia alia pericula et inconuenientias quascunq  que contra dictam cartam et infeofamentum feudifirme quouismodo obijci poterint Nos pro nobis et successoribus imperpetuum per pñtes dispensamus IN CUIUS rei testimonium huic pñti carte nře confirmationis Magnum sigillum nřm apponi precepimus Testibus (vt in alijs cartis consimilibus date precedeñ) Apud Halyrudhous duodecimo die mensis Maij anno Domini millesimo quingentesimo octuagesimo septimo Et regni nři vicesimo.

and their successors, for their perpetual and heritable enjoyment and possession of the foresaid lands of Ardlair, with their pertinents; as if the same had been made, given and confirmed by us or our predecessors, by our charter of confirmation under our great seal in the greater form, or by bulls or provisions in the Roman court, before the sasine of the said lands taken by them, and before the Acts of Parliament, laws and constitutions to the contrary; notwithstanding the same or any penalty and clauses therein contained, with which and all other risks and inconveniences whatsoever, which, in despite of the said charter and infeftment of feufarm, could in any way be incurred, We, for us and our successors, do for ever by these presents dispense. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES [as in other preceding charters of same date*]. At Holyrood House, the twelfth day of the month of May in the year of our Lord one thousand five hundred and eighty-seven, and of our reign the twentieth.

XXXV.

King James VI., after his Revocation, ordains a charter to be made to confirm the charter of 30th December, 1567 (No. XXXII.). 1587.

Oure Souerane Lord eftir his perfyte age of xxi zeiris compleit† and generall reuocaⁿ maid in pliament‡ Ordains ane chartor to be maid

* See *Registrum Magni Sigilli*, Vol. V., p. 400. † 19th June, 1587. ‡ 29th July, 1587.

vnder the greit seill in ye mair forme Ratefeand apprevand and for his hienis and his successoris perpetualie confermand the infestment grātīt be oʳ said souerane lord w^t consent of his dairest cousing vmqll James erle of Murray lord abirnethy his regent for the tyme to the prouest baillies counsall & cōmunitie of the burt of Abirdene of all and haill the place and mansioun w^t the zairds and ptinents yrof qlk wes sumtyme occupyt and Inhabite be the gray freirs of ye said burt erectit be his hienes in ane hospitall for supporte of ye pure Impotent and orphaling as the samyn of the dait the penult day of December J^m v^c lxxvij zeiris And of his Regne the first zeir at mair lenthe As alsua oʳ said souerane lord of his princelye clemencie for the zeill he beris for Intertenying of polycie and gud ordor amāg his subjectis And specilie wⁱⁿ the burt of Aben Vndirstanding alsua That aboue all thingis his hienes is obliste to be thankfull to god be quhais puidence he is preferrit to his governament And being cairefull & soliste for the sustenta^{un} of hospitalitie of pure Impotent mutilat persones orfalingis and zoung infantis destitute of parentis To haue gevin and grantit and disponit and confermit heritable to the prouest baillies counsall and cōmunitie of ye said burt of Abirdene and to thair successoris for euir all and haill That duelling place or mansioun liand wⁱⁿ ye said burt w^t the zairdis and ptinents yrof qlk sumtyme ptenit to the gray freiris of the said burt and ues inhabite be them To the effect That the saidis prouest baillies counsale and cōmunitie may convert the samyn in ane hospitall for resait of the saidis pure mutilat and Impotent persones orfalingis and infantis destitute of parentis For the qlk effect We be thir pītis makis treatis and erectis the said Mansioun duelling place and zairdis In ane ppetuall hospitall To be callit in all tymes cūinge the neu hospitall of abirdene To be haldin and to be had all and haill ye said duelling place or Mansioun w^t the zairdis and ptinentis yrof to the saidis prouest baillies & counsall & cōmunitie and thair successoris to the effect forsaid of Us & oʳ successoris in fie & heritage for euir With power to them To Intromet w^t the said duelling place or Mansioun And to alter change dimolische Reforme and Repaire the samyn for the eisment and resait of the saidis pure and Impotent psones as zai sall think expedient Lawes & Constitutionis for obserua^{un} of the said hospitall in gude ordor To mak and set suo the qlk salbe als valiabil & of als grite effect as gif the samyn had bene expressit at mair len^t in this pīt infestment W^t all and sindrie vtheris

liberties eismentis and Richteous ptinentis q'sumeur Gevand thairfor zeirle The saidis puest baillies counsall & cōmunitie of the said burt ardent and diuote prayeris to the omnipotent god for the prosperous state of o' said souerane lord and his successoris allanerly And that the said chartor be exteneit in the best forme w^t all claus^s neidfull Subscryuit be o' said souerane lord At the day of 1587.

[Signed] JAMES R̄.

XXXVI.

*James VI. ordains the members of the town council of Aberdeen to be elected yearly.
20th July, 1591.*

James Be the grace of god king of Scottis To oure aduocat and all vyeris o' liegis and subdittis quhome it efferis Qubais knowlege yir o' tres salcum greting Wit ze Us considering the guid trew and thankfull seruice done to Us and o' predicessor^e be ye provest bailleis and counsall of o' burt of Abirdene alsweill in ye wyis' and prudent government of ye sai^m According to ye ancient custome liberteis and priuileges yairof Inviolable obseruit past memorie of man As in yair reddie and dewtefull obedience gevin pruif of from tyme to tyme toward vs be exponying of yair landis and lyfis in o' seruice and repressing of dyveris rebellionis and vproiris movit at sundrie tymes in ye north pairtis of yis o' realme And we vnderstanding yat ye cheif grund and caus of the long flurischeing of o' said burt in peace tranquillitie and guid seruice towardis Us Consistit in a guid and substantious counsall of ye gravest wyis' and discreit Inhabitantis of o' said burt best dispost and affectit to oure obedience qlkis hes contenuit in ye sai^m office sen yair first electioun vnalterit or changeit be ye space of fourtie or fyftie zeiris According to ye lovabill consuetude of o' said burt Inviolable obseruit the space of a hundreth zeiris befoir Qlk consuetude of ye contenwing of yair counsall efter yair first lauchfull electioū vnto ye tyme of yair deceis Except yai had been tryit or fund giltie of sum cryme meriting deprivation Is ratefeit and approvin be dyveris actis and constitutionis of o' said burgh And hes bene maist wyislie and prudentlie establishit be yair predicessor^e for avoiding of grit dangeris and Incōuenientis qlkis vyerwyis myt haue fallin out within o' said burgh be ye zeirle changeing and

alteratioun of ye said counsall Qlkis cheiflie suddit be dyveris vnquiet and ambitious personis To ye effect that ye government of oʳ said burth suld be deuoluit in ye handis of outlandis men of grit clannis and surnames qlkis compass* and dwellis round about oʳ said burth And hes be all meains baith directlie and indirectlie aspyrit to ye reule and government of ye samyn Expres' agains oʳ actis of parliament Inhibiting and discharging ye electioun of outlandis men In provest bailleis or auldermen wʳin burgh In ye qlk cais oʳ said burgh suld rather becom a monople thralit and astrictit to yat factioun and clan qlk suld happin to be preferit to ye government Nor a fre burgh To ye vtterwrak and detriment yairof In consideratioun quhairof and yat oʳ act of parliament* maid anent ye changinge of ye zeirle counsall hes nevir zit tane effect wʳin oʳ said burgh Bot ye personis anes lauchfullie chosin vpoun counsall hes contenuit yairon vnto ye tyme of zair deceiss Alwyis subiect to ye tryall of ye nyʳbouis of oʳ said burgh And incais of ony falt or cryme the sam̄ hes bene ordorlie tryit vpoun ye gyld court day efter ye electioun of ye magistratis yairof And being fund giltye yai haue bene removit and depriuit and vyeris placeit in yair rowmes qrvpoun hes followit a grit tranquillitie and concord wʳ oʳ said burgh And in respect of mony vyer Incōuenientis qlk ye zeirle changinge of ye said counsall may carie wʳ it Namelie ye abrogatioun of ye auld Lawis and statuteis of oʳ said burgh The disturbance of ye cōmoun peace yairof The tumble disordor and discentioun yat micht follow yairvpoun wʳ ye infinite confusioun and perrell qlk cōmounlie accompantis all new changeis and imitationis In cōmoun welthis We haue allowit and be yir oʳ tres allowis of yat pñt electit counsall of oʳ said burth and Willis and declaris yat ye saim counsall sall remane and stand efter ye ancient consuetude and custome yairof in all tyme cumying And incais of yair deceiss or tryit vnworthines That ye remanēt of ye counsall elect vyeris in yair places It being alwyis vnderstand yat ye saim counsall be zeirle heirefter electit be voit of counsall and sic vyer ceremoneis as ar accustomed in electioun of magistratis within burgh Notwʳstanding of oʳ act of parliament maid anent ye zeirle change and electioun of magistratis within burgh Anent ye qlk We haue dispensit and be yir oʳ tres dispensse in yat pairt concerning ye changinge of ye counsall allanerlie Renūceand and dis-

* *Acts of Parliament of Scotland*, Vol. II., pp. 95, 244, 252.

chargeand all actioun and persute competent to Us or oʳ successorȝ
 twiching ye contraventioun of oʳ said act of parliament yairanent
 Dischargeing zow oʳ said aduocat of all persute movit or to be movit
 agains ye said counsall for contraventioun of ye said act And not ful-
 filling of ye said in yat point And of zor office in that pairt be yir
 oʳ tres Gevin vnder oʳ privie seill At falkland the twentie day of July
 The zeir of god j^m v^c fourescoir ellevin zeiris And of oʳ rignne the
 twentie foʳ zeir

Per signaturā Manibus S. D. N. Regis
 ac cancellarij subscript

XXXVII.

*King James VI. exempts the provost, baillies, etc., of Aberdeen from attendance
 at certain assemblies. 16th May, 1592.*

James Be ye grace of god king of Scottis To all and sindrie our
 Shʳeffis stewartis Iustice Iustice clerkis thesaurare aduocate and all
 vyeris Iugeis and ministeris of our Law yair deputtis and officiaris
 present and to cum liegis and subdittis quhome it effeiris quhais know-
 lege yir our tres salcum greting WIT ZE WS vnderstanding that the
 Provest bailleis counsall and cōmunitie of oure burgh of Abirdene ar
 oftymeis atteichit and summondit to pas vpoun inqueistis assyis to our
 burgh of edinburgh and vyeris pairtis outwith yair boundis and juris-
 dictionis in crymeis cōmittit far distant fra yame quhairof yai ar alto-
 gidder ignorant and yat yai had ane expemtioun to the effect vnderwritin
 gevin and grantit to yame be Us with avise of vmqle oʳ ryt traist cousing
 James erle of mortoun Lord dalkeith etc Regent to Us oure realme and
 liegis for ye tyme As the samin exemptioun of the dait at Abirdene ye
 third day of september ye zeir of god j^m v^c thriescoir fouretene zeires
 dewlie and ordourlie past admittit in the Iustice court holdin at our said
 burgh of Abirdene immediatlie yaireftir be umqle Sʳ Iohne bellenden
 our Iustice clerk for ye tyme at mair lenth beiris As alswa considdering
 how vpoun ye occasioun of commissionis of Lieutennendreis and Iusti-
 ciareis grantit in fauoris of ye nobilmen of ye cuntrie or to vyeris for
 administratioun of Iustice passing vpoun oure rebellis and disorderit

personis for revenge of privat querrellis and contraverseis betuix pairtie and pairtie ye saidis Provest bailleis counsall and cōmunitie ar oftymeis drawin furth of yair awin toun to vyeris pairtis of ye cuntrie to ye gryte hazard of yair lyveis and wrak of yair guidis Albeit yat according to ye libertie of frie burgh quhairwith yai and yair pridicessor^e ar infest and foundit yai aucht onlie to attend vpoun oure self being in ye feildis in propir persoun or with oure Lieutennent in defence of oure realme agains forane nationis And haueand consideratioun that oure said burgh of Abirdene lyis within ye north pairtis of oure realme far distant fra Ws And of ye gude trew and thankfull service done to Ws and oure prediccoursis be ye Prouest bailleis counsall and communitie of o^r said bur^t alsweill in tyme of weir as of peace and of yair reddy and dewtifull obedience towardis Ws quhairof we haue daylie pruif and experience and respecting yair guid mynd to continew yairin heirefter THAIRFORE We haue gevin and grantit and be yir our tres gevis and grantis to ye Provest bailleis counsall cōmunitie burges^s craftismen and indwellaris of oure said burgh of Abirdene pūt and to cum Speciall licence to remane and abyde at hame fra all raidis conventionis oistis assembleis armeis gatheringis wapinschawingis or weris to be maid be ony oure Iustices be commissioun of Lieutennendrie Iusticiarie or vyer commissioun quhatsumevir to be grantit be Ws or oure successor^e or meiting of yame in ony pairt within oure realme in tyme cūming except yat ayer oure self be pūt in propir persoun or yat our lieutennent accompaneit with ye remanent of oure realme be vpoun ye defence of ye cuntrie agains forane nation^e or y^t o^r self pas for repressing of rebelle^e and traitor^e agaisis oure persoun within Ye cuntrie And fra all comperane or passing vpoun any assyis^s or inqueistis in quhatsumevir crymeis or actionis (except sick crymes as ar cōmittit within oure said burgh fredome yairof and tua myles about ye same) Exemis and dischargeis yame and ilkane of yame yairfra during all ye dayis of yair lyvetymes And willis and grantis yat yai in doing yairof sall incur na payne skaith cryme nor danger in yair personis landis or guidis nor be callit nor accusit yairfore criminalie nor ciuilie be ony maner of way in tyme cūming notwithstanding ony our actis statutis ordinanceis tres proclamationis or chargeis quhatsumevir speciall or generall maid or to be maid in ye contraire Anent Ye quhilke^e and all panis contentit yairintill We haue dispensit and be yir oure tres dispens^s with ye Provest bailleis counsall cōmunitie burges^s craftismen

and indwellaris of our said burgh pnt and to cum for evir DISCHARGE-
 ING heirfore zou all and sindrie our Shreffis stewartis Iustice Iustice
 clerkis thesaurare aduocate and all vyeris Iugeis and ministeris of
 o' lawis zoure deputtis and officiaris pnt and to cum Off all calling
 accusing atteiching arreisting summonding warning poinding trubling
 or onywyse intrometing w^t ye saidis Provest bailleis counsall cōmunitie
 burges craftismen and indwellaris of our saide burt pnt and to cum
 yair landis or guidis in onywyse in tyme cūming for yair said remaining
 and abydeing at hame fra our saidis raidis armeis and vyeris forsaidis
 and fra all and sindrie inqueistis and assyis to be cōmittit as said is and
 of z' offices in yat pairt be yir our tres GEVIN vnder our Privie seill At
 dalkeith ye sextene day of Maii The zeir of god j^m v^c fourescoir tuelff
 zeiris And of our Regne ye twentie fyve zeir

Per signaturam Manibus S. D. N. Regis
 Ac secretarii Subscriptam etc etc etc

XXXVIII.

*King James VI. grants licence to the provost, baillies, etc., of Aberdeen to remain
 at home from the army. 23rd October, 1594.*

We be ye tenno' heirof gevis and grantis o' Licence to the prouest
 baillies counsale communitie and haill inhabitantis of o' burgh of Abir-
 dene and fredome thairof To remane and byde at hame fra our pnt
 oist and armey conuenit at o' said burgh of Abirdene and appointit to
 pas fordware with us to ye north pairtis of o' realme without ony pane
 cryme skaith or dangeir to be Incurrit be yame y'throw in thair psonis
 landis guidis or geir Nochwithstanding quhatsumeuir o' actis statutis or
 pclamationis maid or to be maid in ye cōtraire Q'anent and all panes
 q'tenit y'intill we dispens be yir pnts Gevin vndir o' signet and Sub-
 scryuit w^t o' hand At abirdene ye xxiiij day of October and of o' reigne
 ye xxviiij zeir 1594

JAMES R.
 I. T. Canc^llarius

XXXIX.

King James VI. grants power to the provost, baillies, etc., of Aberdeen to feu part of a road between the Kirk and the Forecroft. 17th March, 159⁴.

JAMES be the grace of god king of Scottis To all and sundrie our leigis and subditis quhome it effereis Quhais knowlige thir our letteris Salcum Greiting WITT ZE WS efter our age of tuentie fyve zeiris And all our reuocationis alswill speciall as generall With aise and consent of our thesaurair Vnderstanding how the provest bailleis counsall and cōmunitie of our burgh of Aberdene ar of mynd and purpois to joyne the parochie kirk of o' said burgh contigue with the remanent of the samyne burgh hous tenementis and biggingis thair of for the policie and decoratioun of the said toun ffor the quhilk effect necessair it is to thame to sett in feu Rentall or vtherwis to the nichtbouris of the said toun or sum vtheris That pairt of the gait and way betuix the wester zaird dyke of the said kirk and the foircroft sumtyme belangand to the blak freiris of Aberdene with vtheris pairtis round about the said kirkzaird togidder with vther waist places of the said burgh ffor bigging of hous and tenementis thairupoun Quhairby not onlie sall the boundis of the said burgh be enlaigit in hous and policie Bot also the said parroche kirk salbe circuit with tenementis and biggingis according to the maner of sindrie vtheris our burrowis within our Realme And We being of gude mynd and purpose to further and incurage the provest bailleis counsall and cōmunitie of our burgh foirsaid to the performance and accomplishment of the said gude work THAIRFORE with aise and consent foirsaid efter our aige and reuocationis abouewritin To haue gevin grantit and disponit and be thir our Letteris gevis grantis and disponis to the provest bailleis counsall and cōmunitie of our said burgh of aberdene present and to cum and thair successouris Expres licence libertie and facultie to sett out to the nichtbouris of our said toun Or to onie vther persoun or personis in few rental tak or simpill alienatioun As the saidis provest bailleis counsall and cōmunitie sall think expedient That pairt of the said gait and way betuix the wester zaird dyke of the said kirk and the said croft sumtyme belonging to the blak freiris of Aberdene with vtheris pairtis round about the said

kirkzaird Togidder with vther waist places of oure said burgh ffor biggingis housis and tenementis To be maid and biggit thairupoun And to that effect To designe the samyne bigginges housis and tenementis sua to be biggit vpoun the samyne be particulair places boundis meithis and merchis AND ALS to have gevin grantit and disponit and be thir oure Letteris gevis grantis and disponis full power to the personis to quhome the pairtis befoir specifeit Salbe sett out as said is To mak and big housis tenementis and biggingis thairupoun According to the particulair designationis rychtis and titlis to be maid to thame thairanent be the saidis provest bailleis counsall and cōmunitie Lykeas also we with consent foirsaid efter oure aige and reuocationis befoirspēit be thir oure letteris for us and oure successouris Now as gif the pairtis befoir mentionat war alreddy set out and than as now Ratifie approve and perpetuallie confirmis All and quhatsumeuir fewis rentallis takis and vtheris dispositionis to be maid be the saidis provest bailleis counsall and cōmunitie of aberdene and thair successouris pūt and to cum of the samyne partis or Onie portioun thair of And Lykwyis be thir presentis We for us and oure successoures Renunce and simpliciter discharge all actionn criminall and cluile Quhilk we or oure foirsaidis may have agains thame for setting out of the pairtis befoirmentionat or onie portioun thair of narrowing of the foirsaid gait and way or for purprusioun or for quhatsumeuir vther caus Quhilk we or oure foirsaidis may lay to thair charge thairanent Renunceand the samyne simplr for euir PROVIDING alwayis That the saidis provest bailleis counsall and cōitie and thair successouris Leve ane sufficient passage in that pairt of the said toun betuix the wester zaird dyke of the said kirk and the foirsaid foircroft ffor entre and ischue to our said toun According to the sicht and discretioun of the saidis provest bailleis and counsall AND forder we for us and oure successouris be thir oure lres with aise and consent foirsaid now efter oure aige and reuocationis abouewrittin Ratifie and approve All and quhatsumeuir dispositionis Licences and tollerances maid gevin and grantit be the saidis provest bailleis and counsall of oure said burgh and thair predicessouris in onie tyme bigane Or to be maid gevin and grantit be thame and yair successouris in onie tyme cumyng To onie personis induellaris within oure said burgh ffor bigging amplifeing and extending of the boundis of the housis and tenementis vpoun onie pairt of the streitis wayis or Cōmoun gaitis of

oure said burgh of Aberdene or round about the samyne And sall
 neur move questioun querrell or actioun thairanent agains thame nor
 thair successouris nor zit agains the saidis personis To quhome the
 saidis dispositiouns Licences and tollerances hes bene and salbe maid
 gevin and grantit And quha hes biggit or sall big According thairto Or
 thair airis Bot renunes and simplr dischargis the same for Us and
 oure successoures now and in all tyme cūing · GEVIN vnder oure
 privie Seill at Halyruidhous the Sevintene day of March The zeir of
 god J^m v^e fourescorefourtene zeiris And of oure Reigne the twenty
 aucht zeir

Per Signaturam Manibus S. D. N. Regis etc Subscriptam etc

XL.

*King James VI. grants to the provost, baillies, etc., of Aberdeen, for five years,
 certain dues upon goods and shipping. 8th August, 1596.*

JAMES be the grace of god king of Scottis To the lordis of oure
 counsall and Sessioun And all and sundrie merchantis marineris inhabi-
 tantis and induellaris within oure burgh of Aberdene and all vtheris
 oure liegis fremen and vnfremen and vtheris strangearis of quhatsumeuir
 vther natioun resortand and repairand to the said port harberie and
 heavin of oure said burgh Greiting WIT ZE US vnderstanding that the
 bulwark peir schoir heavin and harbrie of the burgh of Aberdene Is be
 occasioun of tempestuous wedder Invndatioun of fluidis vehemencie of
 stormis grit streamis and hie springis now becum ruynous and decayit
 Quhilk wes befor weill and substantiouslie biggit be the grit chargis of
 the inhabitantis of oure said burgh Sua that gif the samme be not
 repairit and helpit in tyme The samyne wer abill altogidder to perish
 To the grit hurt of the inhabitantis of oure said burgh and vtheris
 resortand and repairand yairto THAIRFORE and for ye cōmoun weill of
 oure said burgh and for ye helping bigging repairing and making of
 the said bulwark peir schoir and harbrie and for the cōmoditie of all
 oure liegis alswele fremen and vtheris within oure Realme as straungiris
 of quhatsumeuir natioun resortand and reparand with thair schippis
 Laidiningis and gudis To and fra the said port and heavin of Aberdene

To have gevin and grantit and be the tennour of thir oure letteris gevis and grantis Licence to the provest bailleis counsall and cōmunitie of oure said burgh of Aberdene pñt and to cum To vplift the impost toirst and exactioun following To be vpliftit resaut and vsit be the thesaurair of oure said burgh for the tyme in thair names To the effect foresaid During the space of fyve zeiris nixt following the day and date heirof That is to say of ilk tun gudis loissit in ye said heavin tua schillingis at the incuming and at ye laidining and outgoingg Tua schillingis And of the veschell Tuelf penneis for the tun at the incuming and tuelf penneis at the outgoingg And that of all sort of geir Except cole Lyme sklait and frestune quhilk is ordanit to be fre of the said impost Item of ilk chalder victuall dischargit or lossit within ye said harbrie tua schillingis at the Incuming and of ilk chalder victuall transportit furth thairof tua schillingis and of the veschell tuelf penneyis ilk chalder incūing or loissing and tuelf penneis at hir outgoingg and laidinyng Item ane tre of ilk hundreth loisit or Ladinitt within the said harberie WITH POWER to the saidis provest and bailleis To ask crave resave intromet with and vptak Be thame selffis thair thesaurair in thair name and vtheris thair officiaris and seruandis The forsaid impost toirst and exactioun induring ye space foirsaid And gif neid beis to poynd and distreinze thairfore ffrelie quietlie wele and in peax But oure reuocatioun or again calling quhatsumeuir QUHAIRFORE we charge straitlie and cōmandis Zou all and sundrie the mirchantis marineris inhabitantis and induellaris within oure said burgh of Aberdene And all vyeris oure liegis fremen and vnfremen and vtheris strangearis of quhatsumeuir vther natioun resortand and repairand to the said port harberie and heavin of oure said burgh That ze reddilie ansuir inteind obey and mak thankfull payment To the saidis provest and bailleis thair thesaurer officiaris seruandis and collectouris pñt and to cum And to nane vtheris in the premissis during the said space And yat ze mak na stop trubill nor impediment to thame in the executioun of the samyne and vptaking of the deuteis foirsaidis to the effect abouespecifeit COMMANDING also zou the saidis Lordis of oure counsall and sessioun To grant and direct oure vtheris Letteris of poinding and horning vpoun ane simpill charge of sex dayis allanerlie ffor ansuiring thame thairof in sic competent and dew forme as effeiris GEVIN vnder oure previe seill At Dumfermling the Aucht day of

August The zeir of god J^m v^c fourscore sextene zeiris And of oure
Reigne the thretty zeir

Per signaturam manibus S. D. N. Regis etc subscriptam

XLI.

King James VI. grants licence to the provost, baillies, etc., of Aberdeen to remain at home from the army at Dumfries. 18th March, 1597.

We vnderstanding that o^r weilbelouittis the prouest baillies counsall and cōmunitie of o^r burgh of abirdene his satisfet and pait to Archibald prymrois writter o^r collecto^r appointit for ressaing of the taxatioun ordanit to be vpliftit wⁱⁿ the sy^refdomes of abirdene Banff elgin and forres for intertenying of o^r Lieutenant and garinsons on ye west bordo^re of o^r realme in ye moneth of Marche instant and Licence grantit to ye inhabitantis of o^r saidis sy^refdomes to remane at hame fra o^r raid and army ordanit to haue q^uenit at drumfreis vpoun the first day of Marche instant Off the sowme of Twa hundreth pund^e money for the taxatioun of o^r said burgh Q^ufoir we haue dispensit and be the tenno^r heirof dispens^s with the said^e prouest baillies counsall & cōmunitie of o^r said burgh of abirdene for y^r nocht convenig at drumfres vpoun ye day aboue^wttin And gevis and grantis thame Licence to remane at hame fra o^r said raid and army And uills and grantis that they sall nocht be callit nor accuseit thairfoir criminalie nor ciuilie be ony maner of way in tyme cūing Nor incur ony skaith or danger thairthrow in y^r personis land^e nor gud^e Notwithstanding q^usumeuir o^r actis or proclamationis maid or to be maid in the contrair or ony panis contenit thairin anent the qlk we dispens be thir p^rntis Dischairgeing thairfoir o^r iustice iustice clerk thesaurair aduocat and vtheris Iugeis and ministeris of o^r Lawis q^usumeuir Off all calling accuseing or vnlawing of the said^e prouest ballies counsall and cōmunitie of o^r burgh of abirdene for ye cau^s foirsaid Poinding troubling or intrometting with thame thair Land^e or guid^e y^rfoir And of thair offices in y^t pairt for euir Gevin vnder o^r signet and subscryuit w^t o^r hand At halirudhous the xvij day of Marche And of o^r Reigne the xxxj zeir 1597

James R .
Blantyre
I Cokburne

XLII.

Iacobus dei gratia Rex Scotorum Omnibus Probis hominibus Totius terre sue cléricis et laicis Salutem Sciatis Quia nos in memoriam reuocantes feruentem illam magnāq; solitudinem quam nři nobilissimi progenitores recolende memorie temporibus retroactis in erectione burgorum infra regnū nřm susceperunt quorum multitudine magna pars ciuilitatis seu ornamenti cōmodi emolumenti ac decoris eiusdem indies augescit et consistit Inter quorum numerum pro bono fideli et gratuito seruitio per burgenses et inhabitantes burgi nři de Abirdene dictis nřis nobilissimis progenitoribus Impenso Cuius consideratione Ac pro singulari fauore et affectu per ipsos dicto burgo burgensibusq; eiusdem habito et declarato Ipsi nři progenitores ab antiquo dictum burgum In vnū liberum burgum regalem erexerunt Ac eidem burgo burgensibus et Inhabitantibus eiusdem Totas et integras terras vocatas forestam nřam de stockett cum silua earundem partibus pendiculis et suis pertinentiis cum molendinis aquis piscariis minutis custumis telloniis curiis ponderibus mensuris

XLII.

King James VI. confirms sundry charters granted by his predecessors, and of new erects the burgh of Aberdeen into a free royal burgh, with all privileges pertaining thereto. 14th August, 1601.

JAMES, by the grace of God King of Scots, to all good men of his whole kingdom, churchmen and laymen, greeting. Know ye that calling to mind that great and earnest care which in times past our most noble ancestors of cherished memory bestowed on the erection within our kingdom of burghs, by the number of which a great part of the refinement or ornament, advantage, gain and glory of the same is formed and increased from day to day; in the number of which, in return for the good, trusty and gratuitous service rendered to our said most noble ancestors by the burgesses and inhabitants of our burgh of Aberdeen, and because of the singular favour and regard had and declared by them for the said burgh and the burgesses thereof, these our ancestors did of old time erect the said burgh into a free royal burgh, and did give, grant and dispoñe to the same burgh, the burgesses and inhabitants thereof, all and whole the lands called our Forest of Stocket, with the wood of the same, and their parts, pendicles and pertinents, with mills, waters, fishings, petty customs, tolls, courts, weights, measures, free

libero portu omnibusq; aliis priuilegiis libertatibus comoditatibus ac iustis pertinentiis valentibus ad aliquem alium liberum burgum regalem intra regnū nrm Ac sicuti Idem nunc per prepositum balliuos consules et cōmunitatem dicti nri burgi eorum tenentes aliosq; eorum nominibus per ipsorum Ius ac dispositionem possidentur dederunt concesserunt et disposuerunt quāuis maxima pars antiquorum infeofamentorum et evidentiā eisdem ut notorie et manifeste nobis constat per Incursiones et Iniuriam anglorum tempore combustionis dicti nri burgi ac castri eiusdem Combusta et destructa fuerunt paucis preseruatis Exceptis infeofamentis subsequentibus dicti nro burgo per nros predecessores facti et concessi viz Vno infeofamento per quondam Alexandrum regni nri Regem pro tempore dato et concesso predicto nro burgo burgensibusq; eiusdem continente et proportante licitum non fore aliquo peregrino mercatori quicquam intra vicecomitatum nrm de Abirdene emendi aut vendendi sed apud dictum nrm burgum ac ibidem eadem vendendi ac eorum pecuniam impendendi cum diuersis aliis libertatibus et priuilegiis in eodem infeofamento expressis de data apud Alich vicesimo septimo februarii Alia carta confecta per Daudem Regem pro tempore nri regni prefato nro burgo Confirmando omnes libertates eidem concessi per ali-

carriage, and all other privileges, liberties, conveniences and just pertinents belonging to any other free royal burgh within our kingdom, and as the same are at present possessed by the provost, baillies, councillors and community of our said burgh, their tenants and others in their names by reason of their right and disposition, although the chief part of the old infeftments and evidents thereof, as is openly and accurately known to us, was burnt and destroyed by the invasions and ravages of the English at the time of the burning of our said burgh and castle thereof, saving a few preserved infeftments, made and granted to our said burgh by our predecessors, as follows, viz. : An infeftment given and granted by umquhile Alexander, sometime King of our realm,* to the foresaid burgh and burgesses thereof, providing and setting forth that it should not be lawful for any stranger merchant to buy or to sell anything within our sheriffdom of Aberdeen save at our said burgh, where they should have the right to sell the same and to expend their money, with divers other liberties and privileges mentioned in the same infeftment, dated at Alyth the twenty-seventh of February; another charter executed by David, sometime King of our realm,† confirming to our fore-

* See No. III., p. 5.

† See No. XII., p. 17.

quos eius antecessores Scotie reges Alia carta concessa et confecta per quondam charissimū n̄m proauū Iacobum quartum Regem n̄ri regni dignissime memorie Contineñ q nulla corea pelles nec victualia extra vicecomitatum n̄m de Abirdene transportata fuerint absq solutione magne custume nobis earundem debīt de data Apud Edinburgh decimo septimo die mensis Augusti Anno Dñi millesimo quingentesimo vndecimo et eius regni Anno vicesimo quarto Alia carta confecta per quond charissimam n̄ram matrem cum consensu gubernatoris huius regni pro t̄pre Dando concedendoq plenariam p̄tatem ac cōmissionem preposito balliuis consulibus ac cōitati dicti n̄ri burgi Salmonū piscarias super aquis de Die et done Ac terras infra libertatem et cōmuniam dicti n̄ri burgi hereditarie in feudifirma locandi et assedandi specialibus personis in eadem carta specificatis et contentis Alia carta feudifirme facta per prepositum balliuos et cōmunitatem dicti n̄ri burgi quibusdam eiusdem burgensibus de predictis salmonū piscariis super aquis de die et Done Terrasq infra eiusdem libertatem de data Apud Abirdene duodecimo die mensis septembris Anno Dñi millesimo quingentesimo quinquagesimo

said burgh all liberties granted thereto by any of his ancestors Kings of Scotland; another charter granted and executed by our umquhile dearest great-grandfather, James the Fourth, King of our realm,* of most worthy memory, providing that no skins, hides or victuals should be exported out of our sheriffdom of Aberdeen without payment to us of the great custom due thereon, dated at Edinburgh, the seventeenth day of the month of August in the year of our Lord one thousand five hundred and eleven, and of his reign the twenty-fourth; another charter executed by our umquhile dearest mother, with the consent of the Governor for the time being of this kingdom,† giving and granting to the provost, baillies, councillors and community of our said burgh full power and commission to let and set heritably in feufarm the salmon fishings on the waters of Dee and Don, and the lands within the freedom and commonty of our burgh, to particular persons specified and provided in the same charter; another charter of feufarm made by the provost, baillies and community of our said burgh‡ in favour of certain burgesses thereof of the foresaid salmon fishings on the waters of Dee and Don, and lands within the freedom of the same, dated at Aberdeen, the twelfth day of the month of September in the year of our Lord one thousand five hundred and

* See No. XXV., p. 38.

† See No. XXX., p. 48.

‡ Engrossed in No. XXXI., p. 56.

tertio Ac alia carta per nos facta preposito balliuis consulibus et cōitati dicti nři burgi de ānuis redditibus firmis feudifirmariis āniversariis altaragiis terris piscariis ac capellaniis que ad capellanos ecclie parochialis de Abirdene antea pertinuerunt Ac etiam q nobis satis et sufficienter constat q prepositi balliui et consules dicti nři burgi continuo omnibus temporibus retroactis vltra hominū memoriā Computum et solutionem in Scaccario nři fecerunt Sicuti adhuc faciunt de sūma ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete regni nři pro firmis burgalibus eiusdem burgi que recepta et allocata fuit in computis nři Scaccarii per auditores eiusdem ānuatim ōnibus t̄pribus preteritis Respectu ac consideratione cuius nos non minus q^a antecessores nři animati et inclinati in presidium ac defensionem priuilegiōrū ac libertatum omnī burgorum nřorū intra regnū nřm in genere Sed presertim predicti nři burgi de Abirdene Pro bono fideli et gratuito scrutio non solum nřis nobilissimis antecessoribus Verū etiam nobismet ip̄is per prepositum balliuos consules cōitatem dicti nři burgi eorumq, predicesores Impenſo Cuius multiphariam continuo omnibus temporibus retroactis absq, defectione t̄pre aliquo ab eorum fideli debitaq, obedientia vti fideles subditos decet bonū sufficiensq, experimentum

fifty-three; and another charter made by us * in favour of the provost, baillies, councillors and community of our said burgh, of the annual rents, feu-duties, anniversaries, altarages, lands, fishings, and chaplainries which formerly belonged to the chaplains of the Parish Church of Aberdeen: and also because it is fully and sufficiently known to us that the provosts, baillies and councillors of our said burgh, without intermission in times past beyond the memory of men, rendered (as they still render) account and payment to our Exchequer of the sum of two hundred and thirteen pounds six shillings and eightpence, usual money of our kingdom, which was received and entered in the accounts of our Exchequer by the auditors thereof year by year in all times past: In respect and consideration whereof we, disposed and anxious, no less than our ancestors, to guard and defend the privileges and liberties of all our burghs within our kingdom in general, but especially of our foresaid burgh of Aberdeen, in return for the good, trusty and gratuitous service rendered not only to our most noble ancestors, but also to ourselves, by the provost, baillies, councillors and community of our said burgh and their predecessors, of which we have good and sufficient proof in their trusty and dutiful obedience in all times past, without fail at any time, as becomes faithful

* See No. XXXIII., p. 71.

habemus Ideo Nos eorum non Immemores sed deliberata Intentione vti nos ex principali nro honore ac officio decet eadem recompensare vnde dicti prepositus balliui consules et cōmunitas maiorem occasionem habeant cum ardenti bonaq; affectione in eorum fideli seruitio debitaq; obedientia Indies magis perseuerare et continuare Ratificauimus approbauimus ac pro nobis et successoribus nris pro perpetuo confirmauimus Tenoreq; pntis carte nre Ratificamus approbamus ac pro nobis et successoribus nris pro perpetuo confirmamus prenōiatas Cartas donationes et dispositiones cum omnibus et singulis libertatibus priuilegiis et Immunitatibus in eisdem contentis confect et concess⁹ per dictos quondam Reges Alexandrum Daudem ac Iacobum nros nobilissimos antecessores recolende memorie Ac per prefatam nram charissimam matrem et nosmet ipsos praedicto burgo ac burgensibus eiusdem Necnon predictam cartam feudifirme per prefatos prepositum balliuos consules et cōmunitatem dicti burgi quibusdam particularibus personis burgensibus eiusdem de prefatis salmonū piscariis et terris In omnibus et singulis capitibus punctis clausulis articulis ac conditionibus in eisdem contentis Secundum formam et tenorem earundem in omnibus punctis Ac decernimus et declaramus eadem adeo valida efficacia ac sufficientia

subjects : We, therefore, not unmindful of them, but with deliberate intent, as becomes our honour and duty as a prince, to make return for the same, whence the said provost, baillies, councillors and community may have greater occasion to persevere and continue with ardent and great affection in their faithful service and dutiful obedience, more and more from day to day, have ratified, approved, and for ourselves and our successors for ever have confirmed, and by the tenor of our present charter do ratify, approve, and on behalf of ourselves and our successors for ever do confirm, the above-mentioned charters, gifts and dispositions, with all and sundry liberties, privileges and immunities contained therein, executed and granted by the said umquhile Kings, Alexander, David and James, our most noble ancestors of cherished memory, and by our dearest mother aforesaid, and by ourselves to the foresaid burgh and burgesses thereof. As well as the foresaid charter of feufarm by the foresaid provost, baillies, councillors and community of the said burgh to certain individual burgesses thereof, of the foresaid salmon fishings and lands ; in all and sundry heads, points, clauses, articles and conditions contained therein, according to the form and tenor thereof in all points. And we decree and declare the same to be as valid, effective and sufficient for the said provost, baillies, councillors and community, and their

fore dictis preposito balliuis consulibus et cōmunitati eorumq, successoribus perpetuo ōnibus temporibus affuturis Ac si eadem ad longum in hac p̄nti n̄ra carta inserta et express⁹ fuerunt non obstaſi q eadem hic minime inserta sunt Penes que nos pro nobis et successoribus n̄ris pro perpetuo per p̄ntis carte n̄re tenorem dispensamus Insuper pro causis superius specificatis aliisq, causis occasionibus et considerationibus nos mouentibus De Nouo Ereximur ac p̄r p̄ntis n̄re carte tenorem erigimus predictum burgum de Abirdene In unū liberum burgum regalem Ac dedimus concessimus disposuimus et confirmauimus ac tenore p̄ntis carte n̄re pro nobis n̄risq, successoribus damus concedimus disponimus ac pro perpetuo confirmamus Prenōiato burgo ac preposito balliuis consulibus et cōmunitati eiusdem eorumq, successoribus Omnes et singulas prenōiatas terras cōmunes ad eundem burgum pertinentes cum partibus pendiculis et suis pertinentiis ab antiquo vocaſi forrestam n̄ram de stockett et siluam eiusdem cum suis pertinentiis intra limites et bondas earundem sicuti eodem nūc occupantur et possidentur ac ānuatim equitari et perambulari solent per dictos prepositum balliuos consules et cōmunitatem Vna cum aquis de Dee et Done respectiue salmonū piscariis super eisdem infra et per ōnes bondas et partes earundem sicuti eadem per

successors for ever in all time to come, as if the same were inserted and set forth at length in this our present charter, notwithstanding that the same are not here inserted, wherewith we, for us and our successors, by the tenor of our present charter do for ever dispense. Moreover, for the causes above set forth and for other causes, reasons and considerations moving us, we have of new erected, and by the tenor of our present charter do erect, the foresaid burgh of Aberdeen into a free royal burgh; and we have given, granted, disposed, and confirmed, and by the tenor of present charter we, for us and our successors, do give, grant, dispone, and for ever confirm to the above-named burgh, and to the provost, baillies, councillors and community thereof and their successors, all and sundry the above-named common lands belonging to the same burgh, with parts, pendicles and their pertinents, called from of old our Forest of Stocket, and the wood thereof, with their pertinents within the limits and bounds of the same; as the same are now occupied and possessed, and are wont to be annually ridden and walked by the said provost, baillies, councillors and community; together with the waters of Dee and Don respectively, the salmon fishings therein, within and through all the bounds and parts thereof, as the same are at present occupied and enjoyed by the foresaid provost,

prefatos prepositum balliuos consules et cōmunitatem eorum tenentes et seruitores suis nōibus pro pnti occupantur et gauisi sunt Vna cum cōmunibus molendinis viž duobus illis molendinis infra dictum nrm burgum vocat lie Over et neyir mylnis Ac aliis Duobus molendinis extra eundem burgum vocat lie Iustice mylnis cum multuris et sequelis eorundem de omnibus granis crescentibus infra territorium dicti burgi et libertatem eiusdem Ac ad burgenses et inhabitantes dicti burgi pertineñ Vna cum lie castelhill lie grene medow suburbe vocat fittie portu propugnaculo ac lie peir de Abirdene ancoragiis et deuoriis eisdem pertinentibus Ac etiam minutis custumis lie bell custome tolloneis custumis solitis vsitatis et consuetis Ac cum curiis ponderibus mensuris ōnibusq, aliis libertatibus priuilegiis et Immvnitatibus que ad prefatum burgum antea spectarunt et pertinuerunt Cum p̄tate etiam infra prefatum nrm burgum liberas nūdinas ac dies forales lie mercat dayis habendi custodiendi et tenendi Ac vinū ceram lie Wadd pelles corea ac omne aliud genus mercantiarum intra eundem burgum emendi ac vendendi ac cum libertate et potestate plura molendina granorum ac ventosa lie Windmylnis Intra dictum nrm burgum libertatem et territorium eiusd edificandi et construendi Talesq, partes predic̄ cōmuniū terrarum prefate

baillies, councillors and community, their tenants and servants in their names ; together with the public mills, namely, those two mills within our said burgh called the Upper and Nether Mills, and other two mills outwith the same burgh, called the Justice Mills, with the multures and sequels thereof of all grain growing within the territory of the said burgh and the freedom thereof, and belonging to burgesses and inhabitants of the said burgh ; together with the Castlehill, the Green Meadow, the suburb called Fittie, the haven, the blockhouse, and the pier of Aberdeen, the anchorages and duties belonging thereto, and also the petty customs, the bell custom, tolls, customs used, wont and habitual, and with courts, weights, measures, and all other liberties, privileges and immunities, which formerly belonged and pertained to the foresaid burgh ; with power also to have, keep and hold within our foresaid burgh a free fair and market days, and to buy and sell wine, wax, wadd,* skins, hides, and every other kind of merchandise within the same burgh ; and with liberty and power to build and erect more grain mills and wind mills within our said burgh, the freedom and territory thereof, and to set and let for the use and advantage of said burgh such parts aforesaid of the

* *Wadd*, *Woad*, used in dyeing.—*Jamieson's Dictionary*.

foreste de stockett que hactenus minus locantur pro utilitate et cōmodo dicti nři burgi assedandi et locandi Ac cum omnibus aliis et singulis libertatibus et priuilegiis quibuscunq; ad eundem spectantibus seu iuste spectare et pertinere valentibus Ac quorum dictus burgus et burgenses eiusdem aliquibus tēpribus retroactis in possessione extiterunt Cumq; predictis ānui redditibus feudifirmariis anniversariis altaragiis capellaniis terris piscariis que ad capellanos ecclie parochialis de Abirdene antea pertinuerunt Vna cum etiam tam amplis et magnis priuilegiis libertatibus et Immunitatibus sicuti per nos aut aliquos nros antecessores burgis nris de Edinburt Perth Dundie aut alicui alio burgo intra regnū nrm aliquibus tēpribus preteritis die date pntis carte nre precedentibus donata concessa et disposita sunt **TENEŅ ET HABEŅ** Totum et integrum burgum predictum terras cōmunes ab antiquo vocat forrestam nram de stocket siluam eiusd cum partibus pendiculis et suis pertineñ aquis salmonū piscariis de Dee et Done ac molendina multuras portus propugnaculum montem castralem suburbus [*sic*] vocat fittie tellonijs custumis lie bell custome ānui redditibus feudifirmas alteragia capellanas ac alia supra specificata priuilegia libertates et Immunitates quecunq; eidem spectāñ et pertineñ de nobis et successoribus nris in liberum burgum regalem hereditarie Imperpetuum Vna cum ōnibus et singulis aliis libertatibus

common lands of the aforesaid Forest of Stocket as heretofore have not been let ; and with all and sundry other liberties and privileges whatsoever belonging, or which shall come rightly to belong and pertain to the same, and of which the said burgh and burgesses thereof were in possession in any times past ; and with the aforesaid annual rents, feu-duties, anniversaries, altarages, chaplainries, lands, fishings which formerly belonged to the chaplains of the Parish Church of Aberdeen ; and together with as full and extensive privileges, liberties and immunities as were given, granted and dispoed by us or by any of our ancestors to our burghs of Edinburgh, Perth, Dundee, or any other burgh within our kingdom in any times past prior to the date of our present charter. **TO BE HELD AND HAD** all and whole the foresaid burgh, the common lands from of old called our Forest of Stocket, the wood thereof, with parts, pendicles and their pertinents, waters, salmon fishings in Dee and Don, and mills, multures, havens, block-house, Castlehill, suburb called Fittie, with tolls, customs, bell custom, annual rents, feu-duties, altarages, chaplainries, and other above specified privileges, liberties and immunities whatsoever, belonging and pertaining thereto, of us and our successors in heritage for ever as a free royal burgh ; together with all and

priuilegiis cōmoditatibus proficuis asiamentis ac Iustis suis pertineñ qui-
buscunq, tam non nōiatis q^a nōiatis quam nōiatis [*sic*] tam subtus terra
quam supra terram procul et prope ad predic̃ burgum terras aquas
salmonū piscarias molendina portus propugnaculum telonias custumas
ānuos redditus feudifirmas alteragia capellanas ac alia particulariter et
generaliter rēue prescrip̃t cum suis pertineñ spectañ seu Iuste spectare
valeñ quomodolibet in futurum libere quiete plenarie integre honorifice
bene et in pace Sine aliqua reuocatione contradictione Impedimēto aut
obstaculo quocunq, REDDENDO Inde ānuatim nobis et successoribus n̄ris
n̄risq, computorum rotulatoribus nōie n̄ro Predictam sūmam ducentarum
tredecim librarum sex solidorum et octo denariorum vsualis monete
regni n̄ri In terminis solutionis eiusdem solitis et consuetis tanquam
antiquam diuoriam seu ānuū censum pro firmis burgalibus dicti n̄ri burgi
solui soli et consueñ ac in scaccario n̄ro per auditores eiusdem ānuatim
ōnibus temporibus retroactis recep̃t et allocat̃ vna cum suma viginti
solidorum monete antedictę In augmentationem rentalis n̄ri plusq^a vnq^a
predic̃ burgus prepositus balliui consules et cōmunitas pro eodem aliqui-
bus temporibus preteritis persoluere consueuerunt Nomine firmarum
burgalium tantum absq, aliqua alia exactione onere questione demanda

sundry other liberties, privileges, conveniences, profits, easements and their just
pertinents whatsoever, as well not named as named, as well under the ground as
above the ground, far and near, belonging, or which shall in any way in future
justly belong, to the foresaid burgh, lands, waters, salmon fishings, mills, havens,
blockhouse, tolls, customs, annual rents, feu-duties, altarages, chaplainries and
others set forth above in special and in general respectively with their pertinents ;
freely, quietly, fully, wholly, honourably, well and in peace, without any revocation,
challenge, hindrance or obstacle whatsoever. PAYING therefor yearly to us and
to our successors, and to our comptrollers in our name, the foresaid sum of two
hundred and thirteen pounds six shillings and eightpence usual money of our
kingdom, at the terms of payment used and wont in the same, as the ancient
duty or annual maill for the burghal rents of our said burgh used and wont to be
paid, and received and allocated in our Exchequer by the auditors thereof annually
in all times past ; together with the sum of twenty shillings money aforesaid in
augmentation of our rental more than the foresaid burgh, provost, baillies, coun-
cillors and community were ever accustomed to pay for the same in any times
past, in name of burghal rents only, without any other exaction, burden, question,
demand or secular service, which could in any way be rightly exacted or required

seu seruitio seculari que de predicto burgo per quoscunq, iuste exigi poterunt quomodolibet vel requiri Insuper Promittimus fideliter in verbo principis hanc nřam cartam et infeofamentum in proximo nřo parliamēto Ratificare et approbare Ac ad causandam actum nři parliamenti super eadem extendi Inibi contineñ etiam Nouam dispositionem cum auisamento trium regni nři statuū de dictis cōmunibus terris ab antiquo vocat nřa foresta de Stockett siluamq, eiusdē salmonū piscariis infra dictas aquas de Dee et Done aliisq, supra expressis Prefatis preposito balliuis consulibus et cōmunitati burgi nři de Abirdene eorumq, successoribus pro solutione dicte ānue deuorie pro eiusdem firmis burgalibus in moneta supra specificat In Cuius Rei Testimoniū huic pñti carte nře confirmationis et noue donationis magnū sigillum nřm apponi precepimus Testibus predilectis nřis consanguineis et consiliariis Joanne marchione de hamiltoun comite Arraine dño Aveñ etc Ioanne comite de Montrois' dño grahame etc Cancellario nřo Georgio comite mariscalli dño keith etc regni nři mariscallo Dilectis nřis familiaribus consiliariis dñis Iacobo Elphinstoun de barntoun nřo secretario Ricardo Cockburne Iuniore de Clerkingtoun nři secreti sigilli custode militibus Mağro Ioanne Skene nřorum rotulorum regri ac consilii clerico Dño Ioanne

from the foresaid burgh by any whatsoever. Moreover, we faithfully promise, on the word of a prince, to ratify and approve this our charter and infeftment in our next parliament, and to cause an act of our parliament* therein to be extended thereupon, containing also the new disposition, with the advice of the three estates of our kingdom, of the aforesaid common lands from of old called our Forest of Stocket and the wood thereof, the salmon fishings in the said waters of Dee and Don, and others above set forth, to the foresaid provost, baillies, councillors and community of our burgh of Aberdeen and their successors, for payment of the said annual duty for the burghal rents thereof in money above specified. In witness whereof we have ordered our great seal to be appended to this our present charter of confirmation and new grant. Witnesses: Our well-beloved cousins and councillors, John, Marquis of Hamilton, Earl of Arran, Lord Avon, &c.; John, Earl of Montrose, Lord Graham, &c., our Chancellor; George, Earl Marischal, Lord Keith, &c., Marshal of our kingdom; our beloved familiar councillors, Sir James Elphinston of Barnton, our Secretary; Sir Richard Cockburn, younger of Clerkington, Keeper of our Privy Seal, Knights; Master John Skene, Clerk

* See Act of Parliament of 11th July, 1606, *postea*.

Cokburne de Ormestoun milite nre Iusticiarie clerico et Magro Willelmo Scott de Elie nre Cancellarie directore Apud falkland decimo quarto die mensis Augusti Anno dni millesimo sexcentesimo primo Ac anno Regni nri Tricesimo quinto

XLIII.

JACOBUS Dei gratia Rex Magne Britannie Francie et Hibernie fideiq, defensor OMNIBUS Probis hominibus totius terre sue clericis et laicis Salutem SCIATIS Quia in Parlamento nro tento Apud Burgum nrm de Edinburgh Vigesimo Octauo die mensis Junii proxime elapsi anno domini millesimo sexcentesimo decimo septimo instante Nos et Parlamento nri status Intelligentes quod nobilissimi nri predicesores digne memorie Burgum nrm de Abirdene vnum vetustissimorum et celeberrimorum Regni nri Scotie burgorum erexerunt et fundarunt ac amplis priuilegiis libertatibus et immunitatibus donarunt TENEN de nris

of our Rolls, Register and Council ; Sir John Cockburn de Ormeston, Knight, Clerk of our Justiciary ; and Master William Scott of Elie, Director of our Chancery. At Falkland, the fourteenth day of the month of August in the year of our Lord one thousand six hundred and one, and of our reign the thirty-fifth.

XLIII.

King James VI. confirms sundry charters granted to the burgh by himself and by his predecessors. 17th July, 1617.

JAMES, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE that, in our Parliament held at our burgh of Edinburgh on the twenty-eighth day of the month of June last,* in the current year of our Lord one thousand six hundred and seventeen, We and the estates of our Parliament, considering that our most noble predecessors of worthy memory erected and founded our burgh of Aberdeen, one of the most ancient and most renowned burghs of our kingdom of Scotland, and endowed it with full privileges, liberties and immunities, TO BE HELD of our predecessors for annual

* See Act of Parliament of 28th June, 1617, *postea*.

predicessoribus pro annua solutione summe ducentarum tredecim librarum sex solidorum et octo denariorum burgalis firme in infeofamentis et evidentiis dicto burgo desuper confectis specificate et contente Et quamvis in quibusdam dictorum antiquorum infeofamentorum dicta firma burgalis exprimitur Sterlingorum moneta esse Nihilominus Prepositi Balliui Consules nec Communitas dicti nři burgi de Abirdene ac ipsorum predicessores nunquam aliter assueti aut in usu fuerunt soluere nobis vel nřis computorum rotulatoribus sed sūmam ducentarum tredecim librarum sex solidorum et octo denariorum currentis et vsualis monete regni nři Scotie solummodo Cuius summe computum factum fuit in nřo scaccario annuatim vltra hominum memoriam Et si dictus noster burgus vrgeretur et gravaretur in añua solutione dicte firme burgalis in moneta Sterlingorum hoc casu idem ad extremam ruinam tenderet Respectu quod omnes cōmunes terre et redditus ad eundem nřm burgum pertineñ dictam firmam burgalem in moneta Sterlingorum persoluere minime sufficientes sunt AC QUOD Nos ex respectu per nřm cartam sub nřo magno sigillo de data apud Faulkland decimo quarto die mensis Augusti anno dñi millesimo sexcentesimo primo dedimus concessimus et disposuimus Dicto nřo burgo Omnes et singulas terras

payment of the sum of two hundred and thirteen pounds six shillings and eightpence of burgh rent, set forth and contained in the infeftments and evidents thereupon executed in favour of the said burgh ; and although in certain of the said ancient infeftments the said burgh rent is stated to be sterling money,* nevertheless the provosts, baillies, councillors and community of our said burgh of Aberdeen and their predecessors have never been accustomed or in use to pay to us or our comptrollers saving only the sum of two hundred and thirteen pounds six shillings and eightpence current and usual money of our kingdom of Scotland, the account of which sum has been rendered annually to our treasury beyond the memory of man ; and if our said burgh were oppressed and burdened with the annual payment of the said burgh rent in sterling money, in this case the same would thereby be brought to utter ruin, inasmuch as all the common lands and the rents pertaining to our said burgh are wholly insufficient to discharge the said burgh rent in sterling money ; AND THAT we, inasmuch as by our charter under our great seal, dated at Falkland, the fourteenth day of the month of August in the year of our Lord one thousand six hundred and one,† gave, granted and disposed to our said burgh all and sundry the lands, mills, houses,

* See No. VIII., p. 12.

† No. XLII., p. 100.

molendina domos piscationes aquas et ipsum burgum Omniaq, alia priuilegia libertates Imunitates et alias comoditates quascunq, que quouis tempore ad dictum nrm burgum spectarunt et pertinuerunt Teneñ de nobis et nris successoribus in libero burgagio Pro annua solutione dicte sūme ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete Regni nri Scotie et Viginti solidorum eiusdem monete in augmentationem nri rentalis Prout in dicto nro infeofamento de data predicta Contineñ nrm ratificationem omnium aliorum priorum iurium et evidentiary dicto burgo nro concess⁹ latius continetur; Quamquidem cartam postea nos in nro parlamento Tonto Apud Perth Nono die mensis Julii Anno dni millesimo sexcentesimo sexto Ratificauimus ET NOS VERO et parlamenti nri status volentes quod dicta nra donatio et erectio concess⁹ dicf nro burgo de Abirdene Ita formaliter expedita sit iuxta leges nras vt eadem efficax sit preposito balliuis consulibus et cōmunitati eiusdem burgi ac sufficiens jus ipsis eorumq, successoribus omnibus temporibus affuturis pro solutione dicte sūme et firme burgalis ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete regni nri scotie et viginti solidorum eiusdem monete pro augmentatione solummodo Igitur NOS Virtute

fishings, waters, and the burgh itself, and all other privileges, liberties, immunities, and other conveniences whatsoever, which at any time belonged and pertained to our said burgh, to be held of us and our successors in free burgage for annual payment of the said sum of two hundred and thirteen pounds six shillings and eightpence usual money of our kingdom of Scotland, and twenty shillings of the same money in augmentation of our rent, as is set forth at greater length in our infestment of date aforesaid, containing our ratification of all other former rights and evidents granted to our said burgh; which charter we afterwards ratified in our Parliament held at Perth on the ninth day of the month of July in the year of our Lord one thousand six hundred and six. AND WE IN TRUTH and the estates of our Parliament, wishing that our said gift and erection granted to our said burgh of Aberdeen be so expedite in due form, according to our laws, that the same may be effectual for the provost, baillies, councillors and community of the said burgh, and a sufficient right for them and their successors in all time to come, for payment of the said sum and burgh rent of two hundred and thirteen pounds six shillings and eightpence usual money of our kingdom of Scotland, and twenty shillings of the same money for augmentation only. We therefore, in virtue of our said Act of Parliament, with the advice and consent of

dicti nři acti parlamenti cum auisamento et consensu omnium eiusdem parlamenti statuum pro nobis et successoribus nřis Ex certa scientia dissoluimus A Corona nřa et eiusdem annexationibus dictum nřm burgum de Abirdene Cum omnibus et singulis ipsorum terris forrestis siluis aquis salmonum piscationibus super aquas de Dee et Done Molen-
dinis astrictis multuris castris pratis lacubus rupibus viridariis lie Linkis portubus lie heavins et portis propugnaculis aggeribus lie blok-houſ et bulwarkis Anchoragiis et lie bell customes Minutis customis et vectigalibus lie toll et small customes ponderibus mensuris lie trone wechtis and measouris Omnibusq, aliis proficuis casualitatibus et deuoriis quibuscunq, que quouis tempore ad dictum nřm burgum de Abirdene perprius spectabant et pertinebant Vna cum predicta firma burgali et annua deuoria ducentarum Tredecim librarum sex solidorum et octo denariorum contentę in quibuscunq, infeofamentis seu euidentiis dicť nřo burgo concess⁹ Cuiuscunq, designationis dicť firme burgales sint vel monete Sterlingorum seu vsualis monete regni nři Scotie Ad hunc effectum Vt nos de Novo dare concedere et disponere poterimus Dictis Preposito Balliuis Consulibus et Communitati dicti burgi de Abirdene ac ipsorum successoribus Dictum burgum cum omnibus et singulis suis terris forrestis siluis aquis salmonum piscationibus super Die et Done Molen-

all the estates of the said Parliament, for us and our successors, of certain knowledge have dissevered from our Crown and the annexations thereof, our said burgh of Aberdeen, with all and sundry their lands, forests, woods, waters, salmon fishings on the waters of Dee and Don, mills, astrict multures, castles, meadows, lochs, hills, links, havens and ports, blockhouses and bulwarks, anchorages and bell customs, petty customs and tolls, tron weights and measures, and all other profits, casualties and duties whatsoever, which formerly at any time belonged and pertained to our said burgh of Aberdeen; together with the aforesaid burgh rent and annual duty of two hundred and thirteen pounds six shillings and eightpence contained in any infeftments or evidents whatsoever granted to our said burgh (of whatever designation the said burgh rents may be—sterling money or the usual money of our own kingdom of Scotland): To this effect, that we may of new give, grant and dispone to the said provost, baillies, councillors and community of the said burgh of Aberdeen, and their successors, the said burgh with all and sundry their lands, forests, woods, waters, salmon fishings upon Dee and Don, mills, astrict multures, castles, lochs, meadows, links, blockhouses, bul-

dinis astrictis multuris castris lacubus pratis viridariis lie linkes propugnaculis aggeribus lie blokhous bulwarkis anchoragiis minutis customis et lie bell customis ponderibus lie trone wechtis et measouris aliisq, proficuis casualitatibus et diuoriis quibuscunq, que quouis tempore preterito ad dictum nrm burgum de Abirdene spectabant seu pertinebant Teneñ de nobis et nris successoribus in libero burgagio pro annua solutione dicte sūme ducentarum tredecim librarum sex solidorum et octo denariorum et viginti solidorum pro dicta augmentatione Totaliter existēñ vsualis monete Regni nri Scotie solummodo Cum tam amplis priuilegiis Immunitatibus et libertatibus quam alius quivis burgus intra dtum regnum nrm Scotie habet Ac ordinamus nouam donationem prefatis Preposito Balliuis Consulibus et cōmunitati dicti burgi sub nro magno sigillo post dictam nram dissolutionem desuper conficiendam Quamquidem cartam ita expediendam Nos cum ausamento predicto per dictum nri parlamenti actum ac si eadem tunc perfecta fuisset Ratificauimus approbauimus et confirmauimus In omnibus suis capitibus articulis et clausulis Ac voluimus et declarauimus dictam nram cartam dictam nram dissolutionem subsequuturam esse validum et perpetuum jus predicti Preposito Balliuis et Cōmunitati dicti burgi de Abirdene pntibus et futuris pro ipsorum possessione gauisione et fruitione

warks, anchorages, petty customs and bell customs, tron weights and measures, and other profits, casualties and duties whatsoever, which at any time past belonged or pertained to our said burgh of Aberdeen ; to be held of us and our successors in free burgage for the annual payment of the said sum of two hundred and thirteen pounds six shillings and eightpence, and twenty shillings for the said augmentation, the whole in the usual current money of our kingdom of Scotland only ; with as full privileges, immunities and liberties as are possessed by any other burgh within our said kingdom of Scotland. And we order a new gift to the foresaid provost, baillies, councillors and community to be executed thereupon, under our great seal, after our said dissolution. Which charter so to be expedite we, with the advice aforesaid, have, by the said Act of our Parliament, ratified, approved and confirmed in all its heads, articles and clauses, as if the same had been then completed. And we have willed and declared our said charter to follow on our said dissolution to be a valid and perpetual right for the foresaid provost, baillies and community of our said burgh of Aberdeen, present and to come, for their possession, use and enjoy-

dicti burgi nři ac omnium et singularum terrarum forrestarum molen-
dinorum siluarū salmonum piscationum customarum casualitatum
lie Trone wechtis priuilegiorum libertatum imunitatum ac aliarum
deuoriarum quarumq, in eadem carta contentē pro solutione dicte firme
burgalis ducentarum Tredecim librarum sex solidorum et octo denari-
orum vsualis monete regni nři Scotie et viginti solidorum eiusdem
monete in augmentationem dicti nři rentalis solummodo et non amplius
Ac si dicta nřa carta hactenus expedita et in dicto nřo acto specialiter
expressa fuisset ac eo non obstante Penes q nos pro nobis et successori-
bus nřis cum auisamento et consensu predicto in perpetuum dispensauim-
us Prout dictum parlamenti actum latius proportat ET NOS MULTUM
SOLICITI de vigente et florente statu dicti nři burgi de Abirdene et
Reipublice eiusdem et exinde recordantes plurima bona officia et
seruitia nobis per prepositum balliuos consules et cōmunitatem eiusdem
tanquam nřos obsequiosos et fidos subditos omnibus opportunitatibus
prestita et impensa Quapropter nos nunc post omnes nřas reuocationes
ex certa scientia et proprio motu Cum speciali auisamento et consensu
predilecti et fidelis nři consanguinei Joannis Comitis de Mar Domini
Erskyū Principalis Thesaurarii Computorum rotulatoris et collectoris

ment of our said burgh, and of all and sundry lands, forests, mills, woods,
salmon fishings, customs, casualties, tron weights, privileges, liberties, im-
munities and other duties whatsoever contained in the said charter, in return
for the payment of the said burgh rent of two hundred and thirteen pounds
six shillings and eightpence usual money of our kingdom of Scotland, and
twenty shillings of the same money in augmentation of our said rent only, and no
more; as if our said charter had been already expedite and inserted in detail in
our said act, and notwithstanding [the non-insertion], wherewith we, for ourselves
and our successors, with advice and consent aforesaid, have for ever dispensed, as
the said Act of Parliament sets forth at greater length. AND BEING GREATLY
SOLICITOUS for the wellbeing and prosperity of our burgh of Aberdeen and the
common good thereof, and furthermore, calling to mind the very many good
offices and services discharged and rendered to us on all occasions by the
provost, baillies, councillors and community as our dutiful and trusty subjects;
now, therefore, after all our revocations, of certain knowledge and of our own
accord, with the special advice and consent of our well-beloved and trusty
cousin, John, Earl of Mar, Lord Erskine, High Treasurer, Comptroller and

gñalis huius Regni nři Scotie et cum consensu familiaris nři consiliiarii Domini Gedionis Murray de Eliebank militis thesaurarii computorum rotulatoris et collectoris gñalis deputati Nec non cum consensu et assensu Reliquorum dñorum secreti concilii nřorum commissionerum eiusdem Regni nři Scotie RATIFICAUMUS approbauimus ac pro nobis et successoribus nřis pro perpetuo confirmauimus tenoreq, pñtium cum auisamento consensu et assensu predicto Ratificamus approbamus ac pro nobis nřisq, successoribus pro perpetuo confirmamus Omnes et quascunq, cartas infeofamenta precepta sasinarũ instrumenta confirmationes acta sententias decreta donationes exemptiones iura titulos securitates literas scripta euidentias concessionis libertates cōmoditates iñunitates et priuilegia in eisdem contentũ factũ et concessũ seu confirmatũ per nos nřosq, nobilissimos predicesores Reges et Reginas huius Regni nři vel per eorum Gubernatores Regentes et Dños sessionis pro tempore Predicto nřo burgo de Abirdene Preposito Aldermanis Balliuis Decanis gilde Thesaurariis Consulibus Burgensibus et Cōmunitati eiusdem ac ecclesiis ministris et hospitalibus dicti burgi eorumq, successoribus ex quacunq, forma seu formis contenta seu contentis data seu datis sint rex^{us} Et presertim minime gñalitatẽ antedictũ preiudiciũ particulares

Collector General for this our kingdom of Scotland, and with the consent of our familiar councillor, Sir Gideon Murray of Eliebank, Knight, Depute Treasurer, Comptroller and Collector General, as well as with the consent and assent of the remanent lords of the privy council, our commissioners for our same kingdom of Scotland, WE HAVE RATIFIED, approved, and for us and our successors for ever confirmed, and by the tenor of these presents, with the advice, consent and assent aforesaid, do ratify, approve, and for us and our successors for ever confirm, all and each the charters, infeftments, precepts, instruments of sasines, confirmations, acts, sentences, decreets, gifts, exemptions, rights, titles, securities, letters, writs, evidents, grants, liberties, conveniences, immunities and privileges contained therein, made and granted or confirmed by us and by our most noble predecessors the kings and queens of this our kingdom, or by their governors, regents, and lords of session for the time being, to our foresaid burgh of Aberdeen, the provost, aldermen, baillies, deans of guild, treasurers, councillors, burgesses and community thereof, and to the churches, ministers and hospitals of the said burgh, and their successors, of whatsoever form or forms, content or contents, date or dates, they be respectively; and especially, in no way prejudicing the generality aforesaid, the particular charters, infeftments,

cartas infeofamenta confirmationes decreta donationes exemptiones acta scripta evidencias aliaq, subtus specificata concessionis libertates imunitates et priuilegia rexie in eisdem contenē viz CARTAM per quondam Alexandrum Regni nři Regem pro tempore datam et concessam predicto nři burgo burgensibusq, eiusdem continentē et proportantē licitum non fore aliquo peregrino mercatori quicquam intra vicecomitatum nřm de Abirdene emendi aut vendendi sed apud dictum nřm burgum Ac ibidem eadem vendendi ac eorum pecuniam impendendi cum priuilegio et libertate Gildrie vulgo ane Gildrie burgensibus et mercatoribus dicti nři burgi diversisq, aliis libertatibus et priuilegiis in eadem carta expressis de data Apud Alich vicesimo septimo. Februarii ALIAM CARTAM Confectam per Daudem Regem pro tempore nři Regni prefato nři burgo confirmando omnes libertates eidem concessas per aliquos nřos antecessores Scotie Reges ALIAM CARTAM concessam et confectam per quondam charissimum nřm proavum Jacobum quartum Regem nři Regni dignissime memorie continē q nulla corea pelles nec victualia extra vicecomitatum nřm de Abirdene transportata fuerint absq, solutione magne custume nobis earundem debite de data Apud Edinburgh decimo septimo die mensis Augusti anno dñi millesimo

confirmations, decreets, gifts, exemptions, acts, writs, evidents and others, set forth below, the grants, liberties, immunities and privileges respectively contained therein, viz.: A CHARTER given and granted by umquhile Alexander, sometime king of our realm,* to our foresaid burgh and the burgesses thereof, providing and purporting that it should not be lawful for any stranger merchant to buy or to sell anything within our sheriffdom of Aberdeen, save at our said burgh, where they should have the right to sell the same and to expend their money, with privilege and liberty of a Guildry to the burgesses and merchants of our said burgh, and with divers other liberties and privileges set forth in the same charter, dated at Alyth the twenty-seventh of February; ANOTHER CHARTER, executed by David, sometime king of our realm,† confirming to our foresaid burgh all the liberties granted thereto by any of our ancestors kings of Scotland; ANOTHER CHARTER, granted and executed by our umquhile dearest great-grandfather James the Fourth, king of our realm,‡ of most worthy memory, providing that no skins, hides or victuals should be exported outwith our sheriffdom of Aberdeen without payment to us of the great custom due thereon, dated at Edinburgh the seventeenth day of the month of August in the year of our Lord one thousand five hundred and

* See No. III., p. 5. † See No. XII., p. 17. ‡ See No. XXIV., p. 36.

quingentesimo vndecimo et eius Regni anno vicesimo quarto **ALIAM** CARTAM confectam per quondam charissimam nram matrem cum consensu gubernatoris huius regni nri pro tempore Dando et concedendo plenariam potestatem et commissionem Preposito Balliuis consulibus et comunitati dicti burghi nri de Abirdene Salmonum piscarias super aquas de dee et done Ac terras infra libertatem et comuniam diti nri burghi hereditarie in feudifirma locandi et assedandi specialibus personis in eadem carta specificatis et contentis **ALIAM CARTAM** feudifirme factam per Prepositum Balliuos Consules et comunitatem dicti nri burghi quibusdam eiusdem burgensibus De predictis salmonum piscariis super aquis de Dee et Done Terrisq, infra eiusdem libertatem de data apud Abirdene duodecimo die mensis septembris anno dñi millesimo quingentesimo quinquagesimo tertio **ALIAM CARTAM** factam et concessam per quondam Robertum secundum pro tempore nri Regni Scotie Regem Burgensibus et comunitati diti nri burghi de Abirdene eorumq, successoribus de totis et integris terris tenementi de Rubislaw cum pertinentiis iaceñ juxta burgum nrm de Abirdene Teneñ in feodo hereditate et libero burgagio de data apud Kindrocht in Mar vigesimo

eleven, and of his reign the twenty-fourth ; **ANOTHER CHARTER**, executed by our umquhile dearest mother,* with the consent of the Governor for the time being of this kingdom, giving and granting full power and commission to the provost, baillies, councillors and community of our said burgh of Aberdeen to let and set heritably in feufarm the salmon fishings on the waters of Dee and Don, and the lands within the freedom and commonty of our said burgh, to particular persons specified and provided in the same charter ; **ANOTHER CHARTER** of feufarm made by the provost, baillies, councillors and community of our said burgh,† in favour of certain burgesses thereof, of the foresaid salmon fishings on the waters of Dee and Don, and the lands within the liberty of the same, dated at Aberdeen the twelfth day of the month of September in the year of our Lord one thousand five hundred and fifty-three ; **ANOTHER CHARTER** made and granted by umquhile Robert the Second, sometime king of our realm of Scotland,‡ to the burgesses and community of our said burgh of Aberdeen, and their successors, of all and whole the lands of the tenement of Rubislaw, with the pertinents lying close to our burgh of Aberdeen, to be held in fee, heritage and free burgage, dated at Kindrocht, in Mar, the twentieth day of the month of August, and the ninth year of

* See No. XXX., p. 48.

† Engrossed in No. XXXI., p. 56.

‡ See No. XIV., p. 19.

die mensis Augusti Et Regni sui Anno Nono ALIAM CARTAM concessam per quondam Jacobum tertium pro tempore nři Regni scotie Regem dignissime memorie dictis Preposito Balliuis consulibus et comunitate prefati burgi nři de Abirdene eorumq; successoribus De totis et integris terris de Cruiffis cum pertinentiis jaceñ infra vicecomitatum nřm de Abirdene de data Apud Sterling vigesimo sexto die mensis Octobris anno dñi millesimo Quadringentesimo sexagesimo quinto Et Regni sui sexto DONATIONEM et Priuilegium Concess per quondam Jacobum pro tře dicti nři Regni Regem dignissime memorie Sub suo priuato sigillo Burgensibus et fratribus gilde dicti nři burgi de Abirdene pro arrestatione apprehensione et punitione quorumcunq; forrestellatorum infra vicecomitatum nřm de Abirdene De data Apud Perth Quarto die mensis Februarii et anno Regni sui vicesimo quinto DECRETUM Arbitrale inter burgenses gilde dicti nři burgi de Abirdene et artifices eiusdem concerneñ eorum libertates ac pro compositione omnium contraversiarum inter eosdem datum et pronunciatum per

his reign ; ANOTHER CHARTER granted by umquhile James the Third, sometime king of our realm of Scotland,* of most worthy memory, to the said provost, baillies, councillors and community of our foresaid burgh of Aberdeen, and their successors, of all and whole the lands of Cruives, with the pertinents, lying within our sheriffdom of Aberdeen, dated at Stirling the twenty-sixth day of the month of October in the year of our Lord one thousand four hundred and sixty-five, and of his reign the sixth ; A GIFT and privilege granted by umquhile James, sometime king of our said realm,† of most worthy memory, under his privy seal, to the burgesses and guild brethren of our said burgh of Aberdeen, for the arrest, apprehension and punishment of any forestallers whatever within our sheriffdom of Aberdeen, dated at Perth the fourth day of the month of February, and in the twenty-fifth year of his reign ; A DECRET Arbitral between the guild burgesses of our said burgh of Aberdeen and the craftsmen thereof ‡ concerning their liberties and for the settlement of all disputes between the same, given and pronounced by

* See No. XXI., p. 30.

† This Gift is not extant. The only King James found executing charters at Perth on February 4th in the twenty-fifth year of his reign, is the first of that name. See *Registrum Magni Sigilli*, vol. ii., p. 41 ; Feb. 4, 1430. The *Registrum Secreti Sigilli* extends no further back than the reign of James IV.

‡ See the Decreet Arbitral *postea*.

Alexandrum Cullen Daudem Meinzeis duos balliuorum dñi burghi nři pro tre et per Alexandrum Forbes cōmissionarios pro parte Prepositi Balliuorum et fratrum Gilde eiusdem electos ex parte vna ac etiam per Georgium Elphingstoun deaconum conventorem lie deacon convenar Joannem duncane vestiariū et Alexandrum Ronaldsoun pistorem cōmissionarios pro artificibus dicti burghi nři electos ex parte altera Nec non per maġrum Alexandrum Cheyne Rectorem de Snaw et cōmissionarium de Abirdene lie odisman et ořisman equaliter per dictos cōmissionarios nominatum de data Apud Abirdene septimo die mensis Julii anno dñi millesimo quingentesimo octuagesimo septimo Vna cum literis procuratorialibus et submissione super quibus dictum decretum latum fuit inserta et reġrata in libris cōmissariatus de Abirdene septimo die mensis Julii anno immediate supra dicto LITERAS exemptionis per nos sub nřo secreto sigillo datas et concessas Preposito Balliuis consulibus cōmunitati Burgensibus artificibus et inhabitantibus dicti nři burghi pntibus et futuris ab omnibus equitationibus conventionibus exercitibus et guerris infra dtum Regnum nřm Scotie vulgo lie Raides conventiones Oists assembleis armeis gatherings Wapinshawings or waris demptis vbi nos

Alexander Cullen, David Menzies, two baillies of our said burgh for the time being, and by Alexander Forbes, commissioners for the provost, baillies and guild brothers thereof, chosen on the one part, and also by George Elphinston, deacon convener, John Duncan, tailor, and Alexander Ronaldson, baker, commissioners chosen for the craftsmen of the said burgh on the other part, as well as by master Alexander Cheyne, Rector of Snaw and Commissary of Aberdeen, oddman and oversman, named equally by the said commissioners, dated at Aberdeen the seventh day of the month of July in the year of our Lord one thousand five hundred and eighty-seven, together with the procuratorial letters and submission upon which the said decret was based, inserted and registered in the commissary books of Aberdeen on the seventh day of the month of July in the year above written ; LETTERS of exemption given and granted by us under our privy seal * to the provost, baillies, councillors, community, burgesses, craftsmen and inhabitants of our said burgh, present and to come, exempting them from all raids, conventions, oists, assemblies, armies, gatherings, wapinshawes or wars, except

* See No. XXXVII., p. 92.

et successores nři vel in propria persona vel per nostros locum tenentes cum reliquis nřis subditis đti nři Regni pro defensione eiusdem contra exterar nationes sumus vel q nos pro repressione rebellium et traditorum contra nřam personam infra đtum Regnum nřm eamus Ac etiam eximendo ipsos ab omni comparendo vel eundo super aliquibus assisis vel inquisitionibus in quibuscunq crimimbus et actionibus Exceptis criminib⁹ infra đtum nřm burgum libertatem eiusdem et duo miliaria circa eundem commiss⁹ de data Apud Dalkeith decimo sexto die mensis Maii Anno Dři millesimo quingentesio nonagesimo secundo et Regni nři anno vigesimo quinto Cum tris publicationis desuper concess⁹ Vnacum acto de libris nři Justiciarii extracto virtute cuius dicte litere nře exemptionis in Curia Justiciaria infra pretorium Edinburgi per quondam Dominum Willielmum hart de Prestoun militem nřm Justiciarium pro tempore secundo die mensis Decembris anno dři millesimo sexcentesimo decimo quinto Tenta producte et admesse fuerunt PRIVILEGIŪ licentiam et libertatem per nos sub đto nřo secreto sigillo concessam Preposito Balliuis Consulibus et comunitati dicti nři burgi pntibus et futuris eorumq successoribus Quasdam vastas

when we and our successors, either in proper person or by our lieutenants, are present with the rest of our subjects of our said kingdom for the defence thereof against foreign nations, or when we pass within our said kingdom for the repression of rebels and traitors against our person ; and also exempting them from all comparing or passing upon any assizes or inquests on any crimes or actions whatever, except crimes committed within our said burgh, the freedom thereof and two miles around the same : dated at Dalkeith the sixteenth day of the month of May in the year of our Lord one thousand five hundred and ninety-two, and of our reign the twenty-fifth, with the letters of publication granted thereupon ; together with an act extracted from the books of our justiciary in virtue whereof our said letters of exemption were produced and admitted in the Justice Court held within the courthouse at Edinburgh, by the late Sir William Hart of Preston, Knight, our justiciar for the time being, on the second day of the month of December in the year of our Lord one thousand six hundred and fifteen ; A PRIVILEGE, licence and liberty * granted by us under our said privy seal to the provost, baillies, councillors and community of our said burgh, present and to come, and their

* See No. XXXIX., p. 95.

partes et loca dicti nři burgi vicinis eiusdem vel cuicunq, aut quibuscunq, persone aut personis in feudifirma rentali assedatione vel simplici alienatione assedandi et disponendi continefi etiam ratificationem omnium priorum dispositionum licentiarum et priuilegiorum per nos vel predicessores nros ipsis concess⁹ de data Apud Halieruidhous decimo septimo die mensis Martii anno dñi millesimo quingentesimo nonagesimo quarto CARTAM factam datam et concessam per nos Preposito Balliuis consulibus et comunitate dicti nři burgi de annuis redditibus firmis feudifirmis anniuersariis altaragiis terris piscariis et capellaniis que olim ad capellanos Ecclie parochialis Sancti Nicolai de Abirdene spectabant cum omnibus tenementis croftis mansionibus lie dail siluir et aniuersariis quibuscunq, que antea pertinuerunt ad quascunq, capellanas prebendaria et alteragia in quacunq, ecclesia capella vel collegio infra libertatem dicti nři burgi de Abirdene per quascunq, personas aut patronos fundat vbicunq, jacent infra dtum Regnum nřm Scotie vel quocunq, tempore preterito leuari solebant de data Apud Striulling vigesimo sexto die mensis Octobris anno dñi millesimo quingentesimo octuagesimo tertio Quequidem carta

successors, empowering them to set and dispone in feu, rental, tack, or simple alienation, certain waste parts and lands of our said burgh to the neighbours thereof, or to any person or persons whatsoever ; containing also a ratification of all former dispositions, licences and privileges granted to the same by us or by our predecessors ; dated at Holyrood the seventeenth day of the month of March in the year of our Lord one thousand five hundred and ninety-four ; A CHARTER made, given and granted by us* to the provost, baillies, councillors and community of our said burgh of the annual rents, rents, feu-duties, anniversaries, altarages, lands, fishings and chaplainries, which of old belonged to the chaplains of the Parish Church of Saint Nicolas of Aberdeen, with all tenements, crofts, dwelling-houses, daill silver and anniversaries whatsoever, which formerly pertained to any chaplainries, prebends and altarages whatsoever in any church, chapel or college whatsoever within the freedom of our said burgh of Aberdeen, by whatsoever person or patrons founded, wheresoever they are situated within our said kingdom of Scotland, or whensoever in time past they used to be uplifted ; dated at Stirling the twenty-sixth day of the month of October in the year of our Lord one thousand five hundred and eighty-three ; which charter was afterwards

* See No. XXXIII., p. 71.

postea in decimo tertio nro parlamento tento apud Edinburgh vigesimo primo die mensis Julii Anno dni millesimo quingentesimo nonagesimo tertio Ratificata fuit AC ETIAM CARTA per nos factam datam et concessam Preposito Balliuis Consulibus et comunitati dicti nri burgi de Abirdene eorumq, successoribus Non solum Ratificando et approbando sex particulares cartas inibi expressas Verum etiam de nouo dando concedendo et disponendo dictum burgum cum terris molendinis piscariis custumis libertatibus et priuilegiis rex^{iae} inibi specificatis de data Apud Faulkland decimo quarto die mensis Augusti anno dni millesimo sexcentesimo primo Et Regni nri anno Tricesimo quinto VNACUM Omnibus et singulis aliis cartis infeofamentis concessionibus donationibus priuilegiis imunitatibus et iuribus parliamentorum generalis conventionis secretiq, consilii actis sententiis decretis per nos nrosq, nobilissimos progenitores seu per quamcunq, aliam personam seu personas factis et concessis ad et in fauorem aldermani Prepositi Balliuorum Consiliariorum et comunitatum dicti nri burgi de Abirdene pro tempore eorumq, predecessorum et successorum quorumcunq, erga et concerneñ erectionem antedicti nri burgi In vnum liberum burgum regale cum omnibus iuribus

ratified in our thirteenth parliament, held at Edinburgh on the twenty-first day of the month of July in the year of our Lord one thousand five hundred and ninety-three. AND ALSO A CHARTER made, given and granted by us * to the provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, not only ratifying and approving six particular charters therein set forth, but also of new giving, granting and disposing the said burgh, with lands, mills, fishings, customs, liberties and privileges respectively therein specified; dated at Falkland the fourteenth day of the month of August in the year of our Lord one thousand six hundred and one, and of our reign the thirty-fifth. TOGETHER WITH all and sundry other charters, infeftments, grants, gifts, privileges, immunities and rights, acts of parliaments, general convention, and privy council, sentences, decreets, made and granted by us and by our most noble ancestors, or by any other person or persons whatsoever, to and in favour of the alderman, provost, baillies, councillors and community of our said burgh of Aberdeen for the time being, and their predecessors and successors whatsoever, with respect to and concerning the erection of our burgh aforesaid

* See No. XLII., p. 100.

titulis et priuilegiis ad id spectant per leges et consuetudinem nri Regni Ac de omibz terris domibus tenementis forrestis siluis moris marresliis comunitate aquis salmonum piscariis molendinis astrictis multuris castris pratis lacubus montibus viridariis propugnaculis anchoragiis minutis customis Bell-customis et Trone wechtis ponderibus mensuris aliisq, proficuis casualitatibus et diuoriis quibuscunq, que ad dictum nrm burgum antea spectabant et quas ipsi vel eorum predicesores aut authores vilo tempore preterito possidebant seu vtebantur AC volumus et concedimus ac pro nobis et successoribus nris cum auisamento predict decernimus et ordinamus quod antedicta generalitas specialitati minime damno seu preiudicio fuerit et quod specialitas generalitati nullatenus derogauerit eamve preiudicauerit Et quod hec pns nra confirmatio et premissorum approbatio sit et onibus temporibus fuerit tanti roboris valoris et in se efficacie et effectus in omnibus respectibus dicto nro burgo de Abirdene ac preposito Balliuis consulibus burgensibus et comunitati eiusdem eorumq, successoribus ac si omnia et singula antedta infeofamenta dispositiones donationes concessionis confirmationes iura tituli securitates decreta exemptiones litere scripta acta et evidentie omnesq,

into a free royal burgh, with all rights, titles and privileges belonging thereto by the laws and custom of our kingdom; and of all lands, houses, tenements, forests, woods, moors, marshes, commonty, waters, salmon fishings, mills, astrict multures, castles, meadows, lochs, hills, links, blockhouses, anchorages, petty customs, bell customs and tron weights, weights, measures, and other profits, casualties and duties whatsoever, which formerly belonged to our said burgh, and which they or their predecessors or authors possessed or made use of in any time past. AND we will and grant, and for us and our successors, with advice aforesaid, decree and ordain, that the generality aforesaid shall be no injury or prejudice to the speciality, and that the speciality shall in no way detract from or prejudice the generality; and that this our present confirmation and approbation of the premises is, and at all times shall be, of as much strength, force, self efficacy and effect, in all respects, to our said burgh of Aberdeen, and the provost, baillies, councillors, burgesses and community thereof, and their successors, as if all and sundry the foresaid infeftments, dispositions, gifts, grants, confirmations, rights, titles, securities, decreets, exemptions, letters, writs, acts and evidents, and all gifts, liberties, con-

donationes libertates comoditates immunitates et privilegia aliaq, generaliter seu specialiter in eisdem contenti ad longum de verbo in verbum hic insererentur Non obstat quod ratione multitudinis numerositatis longitudinis et eorum prolixitatis minime hic inserta sunt Super quibus nos pro nobis et successoribus nostris dispensauimus ac per presentis carte nostre tenorem cum consensu predicti pro perpetuo dispensamus PRETEREA Nos absq, damno derogatione seu preiudicio dicti cartarum infeofamentorum iurium decretorum actorum titulorum libertatum privilegiorum aliorumq, tam specialiter quam generaliter superius expressę ac pro earundem maiore corroboratione accumulando iura iuribus pro bono fidei et gratuito seruitio nobis nostrisq, nobilissimis progenitoribus per prepositum balliuos consules et comunitatem dicti nostri burgi eorumq, predecessores prestito et impenso ac ut ipsis in dicto seruitio perseverandi meliorem occasionem prebeamus DE NOVO cum auisamento et consensu predicti dedimus concessimus ereximus et disposuimus Tenoreq, presentis carte nostre pro nobis et successoribus nostris de nouo damus concedimus erigimus et disponimus predilectis nostris et fidelibus seruatoribus Preposito balliuis consulis Burgensibus et comunitati dicti burgi nostri de Abirdene

veniences, immunities and privileges, and others in general or in special contained therein, were here inserted at length, word by word, notwithstanding that by reason of their multitude, number, length and prolixity they have not been here inserted; wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter, with consent aforesaid, do for ever dispense. FURTHER, without hurt, disparagement or prejudice to the said charters, infeftments, rights, decreets, acts, titles, liberties, privileges, and others in general or in special above set forth, and in further corroboration thereof, heaping rights upon rights, in return for the good, faithful and gratuitous service done and rendered to us and to our most noble ancestors by the provost, baillies, councillors and community of our said burgh and their predecessors, and in order to afford them better occasion for persevering in the said service, we have OF NEW given, granted, erected and disposed, and by the tenor of our present charter we, for us and our successors, do of new give, grant, erect and dispone to our well-beloved and trusty servants the provost, baillies, councillors, burgesses and community of our said burgh of Aberdeen and their successors for ever, ALL and whole

eorumq, successoribus pro perpetuo TOTUM et integrum antedictum burgum de Abirdene cum meniis muris fossis portis viis plateis passageis omnibusq, et singulis domibus edificiis hortis tenementis croftis acris et rudis infra territoriū et libertatem eiusdem Ac etiam omnes et singulas terras communes ad dictum nostrum burgum spectant cum omnibus moris marresiiis pratis partibus pendiculis et pertineant ab antiquo vocat forrestā de Stockat et siluam eiusdem intra limites metas et bondas earundem Sicuti eadem nunc occupantur et possidentur ac annuatim equitari et perambulari solent per predictos Prepositum Balliuos consules et civitatem Totas et integras dictas terras de Rubislaw ac etiam totas et integras dictas terras de Cruiffis cum toftis croftis domibus edificiis partibus pendiculis et pertineant earundem Totas et integras omnesq, et singulas aquas de dee et done et salmonum piscarias earundem infra et per omnes bondas partes et limites eiusdem sicuti cedem per prefatos Prepositum Balliuos consules et communitatem eorumq, tenentes et servitores pro parti occupantur et gauise sunt et specialiter salmonum piscarias super dicta de dee vulgo nuncupat lie Raik et. Stellis Midchingill Pott et fuidis ex vtroq, latere eiusdem aque et prout dicte piscarie vna ab aliis dis-

the foresaid burgh of Aberdeen, with ramparts, walls, ditches, gates, ways, streets, passages, and all and sundry houses, buildings, yards, tenements, crofts, acres and roods within the territory and freedom thereof; and also all and sundry common lands belonging to our said burgh, with all moors, marshes, meadows, parts, pendicles and pertinents from of old called the Forest of Stocket, with the wood thereof, within the limits, meiths and boundaries of the same; as the same are now occupied and possessed, and are wont to be annually ridden and walked by the foresaid provost, baillies, councillors and community; all and whole the said lands of Rubislaw, and also all and whole the said lands of Cruives, with tofts, crofts, houses, buildings, parts, pendicles and pertinents thereof; all and whole, conjointly and severally, the waters of Dee and Don and the salmon fishings thereof, within and through all boundaries, parts and limits thereof, as the same are at present held and enjoyed by the said provost, baillies, councillors and community and their tenants and servants; and especially the salmon fishings on the said water of Dee commonly called the Raik and Stells, Midchingle, Pott, and Foords on both sides of the same water, and as the said fishings are

tincte et cognite sunt et etiam jacent et bondantur a lie bar et wattermouth dicti nři burgi de Abirdene vsq ad lie Brigwatter spectañ Wilhelmo forbes de Bairnes apud pontem de Dee Ac similiter salmonum piscarias super dictā aqua de done vulgo nuncupañ the Kingis Cavill eiusdem acque de done Tam subtus quam supra pontem eiusdem vulgo aboue and beneth the brig yairof cum ònibus et singulis salmonū piscariis de lie Cruiffis prout eedem piscarie et lie Cruiffis rexiue bondantur et jacent a lie Wattermouth dicte aque de done vsq, et donec venerit ad torrentem vocañ Cruiff burne vna cum ònibus et singulis aliis salmonum piscariis aliisq, piscationibus quibuscunq, super dictā aquis de dee et done intra et per omnes bondas earundem rexiue superius expressis ad dictum nřm burgum spectañ et quarum ipsi eorumq, predicesores in vsu et possessione fuerunt et cum ònibus et singulis lie Inchis et scheillis intra et super dictis aquis de dee et done ac cum libertate et priuilegio casas edificandi vulgo lie schealis trahendi dissipandi et arificiendi retia vulgo drawing spredding and drying of nettis ex vtroq, latere dictarum aquarum rexiue prout dictus noster burgus eorumq, predicesores possessores et occupatores dictarum piscariarum similiter in vsu et possessione antea fuerunt cumq, etiam libertate et priuilegio habendi cymbas vulgo lie

distinguished and known one from the others, and as the same lie and are bounded from the bar and watermouth of our said burgh of Aberdeen to the Brig water at the Bridge of Dee, belonging to William Forbes of Barns; and likewise the salmon fishings on the said water of Don, commonly called the King's Cavill of the same water of Don as well above as below the bridge thereof; with all and sundry salmon fishings of the Cruives, as the said fishings and Cruives respectively are bounded and situated from the watermouth of the said river of Don till it comes to the stream called the Cruive burn, with all and sundry other salmon fishings and other fishings whatsoever on the said waters of Dee and Don, within and through all the bounds thereof, respectively above set forth, belonging to our said burgh, and of which they and their predecessors were in use and possession; and with all and sundry inches and sheills within and upon the said waters of Dee and Don, and with liberty and privilege to build huts, commonly called sheills, to draw, spread and dry nets on both banks of the said waters respectively, as our said burgh and their predecessors, possessors and occupiers of the said fishings, were formerly in use and possession of the like; as also with liberty

ferrie boittis vnam vel plures super dictis aquis de Dee et Done et in quibuscunq, locis et partibus earundem pro transportatione n̄orum subditorum eorumq, bonorum et animalium prout eedem per dictos Prepositum Balliuos et consules dicti n̄ri burgi designabuntur et prout ipsis magis expediens et visum fuerit cum ōnibus diuoriis feodis et cōmoditatibus ad dictas cymbas lie ferrie boittis juste spectāñ Omnia et singula molendina cōmunia dicti n̄ri burgi vīz Duo illa molendina infra dtum n̄m burgum vocāñ lie ouir et nather mylnis alia duo molendina extra eundem burgum vocāñ lie Iustice mylnis et alia duo molendina jaceñ infra libertatem dti n̄ri burgi Vnum eorundem vocāñ the new mylnc on buckisburne et aliud vocāñ the new mylne vpone the den burn cum molendino ventoso apud lie Gallowgaitheid dicti n̄ri burgi cum multuris et sequelis dtorum molendinorum de ōnibus granis crescentibus super omnibus et singulis croftis acris et terris cōmunibus dti burgi et infra territorium et libertatem eiusdem et de omnibus granis ad burgenses et inhabitantes dicti n̄ri burgi spectāñ aquam et ignem infra eundem patientibus vulgo thoilling fyre and watter within the same Totum et integrum montem castri lie greinmedow suburbem vocāñ futtie cum capellis earundem ōnibusq, cymbis et albis piscationibus eid incumbēñ

and privilege to have ferryboats, one or more, on the said waters of Dee and Don, and in any places and parts thereof whatsoever, for carrying across our subjects and their goods and beasts, as the same shall be appointed by the said provost, baillies and councillors of our said burgh, and as shall seem to them best and most expedient; with all duties, fees and advantages justly belonging to the said ferryboats; all and sundry common mills of our said burgh, to wit, those two mills within our said burgh called the Upper and Nether Mills, other two mills outwith our said burgh called the Justice Mills, and other two mills lying within the freedom of the said burgh, one thereof called the New Mill on Buxburn and the other called the New Mill on the Denburn, with the Wind Mill at the Gallowgatehead of our said burgh; with multures and sequels of the said mills from all grain growing on all and sundry crofts, acres and common lands of the said burgh, and within the territory and freedom thereof, and from all grain belonging to burgesses and inhabitants of our said burgh, tholing water and fire within the same; all and whole the Castlehill, the Green Meadow, the suburb called Futtie, with the chapels thereof, and all ferryboats and white fishings pertaining thereto;

Vnacum propugnaculo portu ac lie peir de Abirdene aqueductibus et passagiis eiusdem cum libertate et priuilegio onerandi et exonerandi naues et cymbas aliaq vasa quecunq in dtis aquis de Dee et done ex vtroq latere eorundem et ad quaslibet partes et loca ac toties quoties dictis Preposito Balliuis consulibus et comunitati placuerit Ac etiam leuandi et recipiendi omnes minutas custumas anchoragias et lie schoir siluir aliasq deuorias adeo libere in omnibus respectibus sicut burgus noster de Edinburgh eorumq collectores apud portum et lie pier de Leith leuant et recipiunt Et vt per quemcunq alium liberum burgū nrm regalem apud quoscunq portus maris infra dictum regnum nrm scotie leuantur Et presertim leuandi et recipiendi omnibus temporibus futuris Tres solidos monete regni nri Scotie de qualibet twнна bonorum vulgo of everie Tunn guidis exportat et importat in quacunq nauī cymba vel alia vasa infra dictū portum et lie harberie de Abirdene pro reparatione edificatione et sustentatione propugnaculi lie bulwark eiusdem applicandi in perpetuum prout dicti prepositi balliui consules et comunitas earumq collectores his multis annis preteritis in vsu et possessione fuerunt totam et integram custumam vulgo vocat lie Bell custome dti nri burgi minutas custumas et tolloneas custumas eiusdem solitas et consuetas vna cum

together with the blockhouse, haven and pier of Aberdeen, the mill dams and channels thereof, with liberty and privilege to load and discharge ships and boats and other vessels whatsoever in the said waters of Dee and Don, on either side thereof, and at any parts and places whatsoever, and as often as shall seem proper to the provost, baillies, councillors and community; and also to uplift and receive all petty customs, anchorages and shore silver, and other duties, as freely in all respects as our burgh of Edinburgh and their collectors uplift and receive at the haven and pier of Leith, and as the same are uplifted by any other our free royal burgh at any seaports within our said kingdom of Scotland; and especially to uplift and receive in all time coming three shillings money of our kingdom of Scotland from every tun of goods exported and imported in any ship, boat or vessel whatsoever, within the said haven and harbour of Aberdeen, to be applied to the repair, building and upholding of the bulwark thereof for ever, as the said provosts, baillies, councillors and community and their collectors have been in use and possession for these many years past; all and whole the custom commonly called the bell custom of our said burgh, the petty customs and toll customs thereof

ponderibus lie Trone wechtis dicti nři burgi feodis et diuoriis eisdem spectañ cumq; omnibus aliis ponderibus et mensuris libertatibus priuilegiis et imunitatibus ad dtum nřm burgum quouismodo pertineñ Et cum plena et libera potestate tenendi curias infra dictum nřm burgum territorium et libertatem eiusdem pro justicie administratione et transgressorum punitione secundum qualitatem eorum offensionū juxta leges et practicam huius regni nři toties quoties opus fuerit Et leuandi exitus amerciamenta et eschetas dtarum curiarum cum bludewetis toties quoties contigerint Tam infra dtum nřm burgum libertatem et territorium eiusdem quam infra portum et fluxum maris lie heavin harberie and fludemark dti nři burgi Et huiōi exitus eschetas et bludewetas ad rem publicam dti nři burgi applicandi AC ETIAM cum speciali p̄tate priuilegio et libertate dictis Preposito Balliuis consulibus et burgensibus gilde dicti nři burgi eorumq; successoribus imperpetuum habendi frequentandi vtendi et exercendi vulgo the tred and traffiq* of merchandice ac emendi et vendendi vulgo lie Blok by top and sell vinum ceram lie wade pelles coria ac omne aliud genus mercantiarum

used and wont, together with the tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities in any way pertaining to our said burgh; AND with full and free power to hold courts within our said burgh, the territory and freedom thereof, for the administration of justice and the punishment of transgressors, in proportion to the nature of their offences according to the laws and practice of this our kingdom, as often as shall be necessary; and to uplift the issues, fines and escheats of the said courts with bloodwits as often as they shall occur, as well within our said burgh, the freedom and territory thereof, as within the haven, harbour and floodmark of our said burgh, and to apply such issues, escheats and bloodwits for the common good of our said burgh. AND ALSO with special power, privilege and liberty to the said provost, baillies, councilors and guild burgesses of our said burgh and their successors for ever, to have, essay, use and exercise the trade and traffic of merchandise, and to block, buy, top and sell* wine, wax, wadd, skins, and every other kind of merchandise and goods, as well of this our kingdom as of any foreign nation

* *Block*, to bargain, to exchange; *top* or *tape*, to sell in small quantities or by retail.—*Jamieson's Dictionary*.

et bonorum tam huius regni nři quam cuiuscunq; extranee nationis Non solum infra pŕdictum nřm burgum territorium et libertatem eiusdem verum etiam infra per omnes bondas vicecomitatus nři de Abirdene Tam regalitatem quam regale Necnon habendi et tenendi infra đtū nřm burgum et libertatē eiusdem pro perpetuo Vnam mercatoriam Gildriam vulgo ane merchand Gildrie cum curiis gilde consilariis membris et iurisdictione ad eandem pertineñ libertatibus et priuilegiis eiusdem eschetis et exitibus dictarum curiarum similimodo et adeo libere in omnibus et per omnia sicuti per nos nřosue predicesores cuicunq; alio libero burgo regali infra đtū regnum Scotie conceditur ac cum omnibus aliis immunitatibus et libertatibus que de legibus huius nři regni ad eorum mercimonii exercitum vel ad curias gilde et Bursas spectant seu spectarunt Necnon infra pŕdictum nřm burgum habendi tenendi vtendi gaudendi et exercendi hebdomadati duas dies publicas forales viz Diem Mercurii et diem Saturni vna cum duabus liberis nundinis Bis in anno Vnam earundem ad festum Penthecostes et aliam ad festum diui Nicolai cum tholloneis et custumis earundē incipiendi tenendi et continuandi secund vsum et consuetudinem vsitať et consueť

whatever; not only within our foresaid burgh, the territory and freedom thereof, but also within all bounds of our sherifffdom of Aberdeen, as well regality as royalty;* as well as to have and hold for ever, within our said burgh and the freedom thereof, a Merchant Guildry, with guild courts, councillors, members, and jurisdiction pertaining thereto, liberties and privileges thereof, escheats and issues of the said courts in like manner and as freely, in all and through all, as is granted by us or our predecessors to any other free royal burgh whatsoever within the said kingdom of Scotland, and with all other immunities and liberties which by the laws of this our kingdom belong or belonged to the exercise of their merchandise, or to guild courts and burses; as well as to have, hold, use, enjoy and exercise within our foresaid burgh, every week, two public market days, namely, Wednesday and Saturday, together with two free fairs twice in the year, one thereof at the Feast of Pentecost, and the other at the Feast of St. Nicolas,† with the tolls and customs thereof, to begin, hold and continue according to the use and

* *Royalty*, territory immediately under the jurisdiction of the king; *regality*, territory the jurisdiction over which has been granted by the king to a subject.

† 6th December.

ET cum libertate et P̄tate plura molendina tam ventosa quam granorum et fullonum infra dtum n̄m burgum libertatem et territorium eiusdem edificandi et construendi talesq, partes predict̄ cōmunionum terrarum prefate forreste de Stockat que hactenus minime locantur pro vtilitate et cōmodo dicti n̄ri burgi assedandi et locandi Precipiendo mandando et inhibendo omnibus personis tam regalitatis quam regalis (burgensibus gilde dicti n̄ri burgi de Abirdene minime existeñ) Ne presumant vsurpare exercere seu occupare exercitium mercantiarum vulgo the tred and traffiq, of merchandice aut aliquod priuilegium seu punctū ad vnum liberum burgum regalem pertineñ infra libertatem et bondas d̄ti n̄ri burgi et viētum eiusdem Sub pena incarcerationis personarum et forisfacture et eschete eorum bonorum et mercantiarum vbicunq, eadem apprehendi poterint INSUPER Nos cum auisamento et consensu predicto dedimus et concessimus Tenoreq, p̄ntis carte n̄re damus et concedimus pro nobis et successoribus n̄ris plenam p̄tatem cōmissionem et n̄ram authoritatem Prefatis Preposito Balliuis et consulibus d̄ti n̄ri burgi de Abirdene eorumq, successoribus acta statuta et Ordinationes pro cōmuni bono et proficuo d̄ti n̄ri burgi ac manutentione libertatū et

custom used and wont. AND with liberty and power to build and construct more mills, as well windmills as grain and fulling mills, within our said burgh, the freedom and territory thereof, and to set and let such parts of the foresaid common lands of the foresaid Forest of Stocket as are not already let, for the profit and advantage of our said burgh: Enjoining, commanding and forbidding all persons, as well in regality as in royalty (not being guild burgesses of our said burgh of Aberdeen), that they do not make bold, within the liberty and bounds of our said burgh and the sheriffdom thereof, to usurp, exercise or appropriate the trade and traffic of merchandise or any privilege or point pertaining to a free royal burgh, on pain of imprisonment of their persons and of forfeiture and escheat of their goods and merchandises, where-soever the same can be seized. MOREOVER, with advice and consent afore-said, we have given and granted, and by the tenor of our present charter do give and grant, for us and our successors, to the foresaid provost, baillies and councillors of our said burgh of Aberdeen, and their successors, full power, commission and our authority to make and publish acts, statutes and ordinances for the common good and profit of our said burgh, and for the maintenance of the liberties and privileges thereof, to be observed and fulfilled

priuilegiarum ejusd per omnes burgenses et inhabitantes dñi nři burgi ac omnes alias personas eund frequentañ et reparañ observanda et perimplenda Sub talibus penis prout ipsis magis videbitur expediens faciendi et edendi ac eadem acta et ordinationes cū ōnibus parliamentorū nřorum ġnialium conventionū et secreti cōsillii actis burgorum constitutionibus et ōnibus eorum propriis actis decretis et sententiis datis seu dandis in fauorem dicť eorum libertatū debite obseruari causandi et ad finalem executionem ponendi et proseguendi infra territorium et libertatē dñi nři burgi de Abirdene et vicecōitatum eiusdem predicť Cum spēiali etiam pťate dictis Preposito Balliuis et consulibus personas dicť eorum priuilegiis actis constitutionibus decretis et sententiis contravenientes vocandi proseguendi arrestandi et incarcerandi Ac cum eorum bonis intromittendi et eadem escheatandi Quequidem eschete bona et exitus nos pro nobis et successoribus nřis cum consensu predťo damus et concedimus comūni vsui dñi burgi nři de Abirdene et ad supportationem comūniū rerū et operum ejusd cum ōnibus exitibus et amerciamentis curiarū penes que dicť contravenientes incurrere contigerint ET SIMILITER Nos cū auisamento et consensu predicť Dedimus concessimus et

by all burgesses and inhabitants of our said burgh, and by all other persons frequenting and repairing to the same, under such penalties as shall seem most expedient to them; and to cause the same acts and ordinances to be duly observed, with all acts of our parliaments, of general conventions, and of privy council, constitutions of the burghs, and all their own proper acts, decreets and sentences made or to be made in favour of their said liberties, and to put and prosecute the same to final execution, within the territory and freedom of our said burgh of Aberdeen and the sherifffdom thereof aforesaid; also with special power to the said provost, baillies and councillors to summon, prosecute, arrest and imprison persons contravening their said privileges, acts, constitutions, decreets and sentences, and to intromit with their goods, and to escheat the same, which goods and issues of escheat we, for us and our successors, with consent aforesaid, give and grant for the common use of our said burgh of Aberdeen, and for the upholding of the common affairs and works thereof, with all issues and fines of the courts which the said contraveners shall happen to incur. AND LIKEWISE, with advice and consent aforesaid, we have given, granted and disposed, and by the tenor of our present charter, for us and our successors, do give, grant and

disposuimus Tenoreq, p̄ntis carte n̄re pro nobis et successoribus n̄ris damus concedimus et disponim⁹ prefatis preposito Balliuis consulibus et com̄unitati d̄ti n̄ri burgi de Abirdene eorumq, successoribus Omnes et singulos ānuos redditus firmas feudifirmas ānuas deuorias alteragia terras piscarias tenementa domos croftas et capellanas que antea ad capellanas [capellanos? cf. p. 122, l. 10] dicte ecclie parochialis diui Nicolai de Abirdene spectabant cum omnibus tenementis croftis mansionibus lie dail siluir et anniversariis quibuscunq, que antea pertinuerunt ad quascunq, capellanas prebendaria et altaragia in quacunq, ecclia capella vel collegio infra libertatem d̄ti burgi n̄ri de Abirdene per quascunq, personas aut patronos fundat vbiunq, jacent infra d̄tum regnū n̄rm Scotie vel quocunq, tempore preterito leuari solebant Totam et integram mansiones locum domos edificia hortos et eccliam que ad franciscanos vel fratres minores dicti burgi vulgo Grayfreiris antea spectabant ac etiam cōem lacū d̄ti n̄ri burgi infra et per omnes bondas et partes eiusdem nec non montes vulgo nuncupat lie Woman hill Playfeddill Sanctkathareins hill hedonishill et gallowhillis Vnacum viridariis et campis vulgo lie Linkis d̄ti n̄ri burgi prout jacent in longitudine et latitudine ab ostio vulgo the wattermouth

dispone, to the foresaid provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, all and sundry annual rents, rents, feu-duties, annual dues, altarages, lands, fishings, tenements, houses, crofts and chaplainries, which formerly belonged to the chaplains of the Parish Church of Saint Nicolas of Aberdeen, with all tenements, crofts, dwelling-houses, daill silver and anniversaries whatsoever, which formerly pertained to any chaplainries, prebends and altarages whatsoever, in any church, chapel or college whatsoever, within the freedom of our said burgh of Aberdeen, by whatsoever persons or patrons founded, wheresoever they lie within our said kingdom of Scotland, or whensoever in time past they were wont to be uplifted; all and whole the dwellings, place, houses, buildings, yards and church, which formerly belonged to the Franciscans or Minor Friars of the said burgh, commonly called the Gray Friars; and also the common loch of our said burgh, within and through all bounds and parts thereof; as well as the hills commonly called the Woman Hill, Playfield, St. Katharine's Hill, Hedonis Hill and Gallowhills; together with the greens and fields commonly called the Links of our said burgh, as they lie in

of Dee vsq ad ostium vulgo the Wattermouth of Done cum teneñ tenañ libereq, teneñ seruitiis oñm et singularū predicť terrarum et pisciarum partibus pendiculis et pertineñ quibuscūq, ac cum ñnibus aliis et singulis libertatibus imunitatibus iuribus et priuilegiis quibuscunq, ad eundē spectañ et quorum dñi prepositus balliui consules et cõitas eorumq, prediceßores aliquib⁹ t̃pribus retroactis posñne extiterunt Vna etiam cum tam āplis et magnis priuilegiis libertatibus et imunitatib⁹ sicuti per nos aut aliquos ñros antecessores burgis ñris de Edinburt Perth Dundee aut alicui alio burgo regali infra dtū regnū ñrm Scotie quouis t̃pre preterito diem datāq, p̃ntis carte ñre precedenē donata concessa et disposita sunt cumq, ñnibus iure titulo interesse jurisclameo proprietate et possessione que nos vel prediceßores aut successores ñri habuimus habemus seu quouismodo habere clamare aut p̃ndere poterimus aut poterint in et ad predtū burgum ñrm de Abirdene terras acras croftas terras cões molendina multuras piscarias castra lacum prata montes viridaria propugnaculum anchoragia lie Toll et Bell customes lie Trone-wechtis mensuris ānuos redditus mansionem locum domos hortos

length and breadth from the watermouth of Dee to the watermouth of Don; with tenants, tenandries,* and services of free tenants, of all and sundry the foresaid lands and fishings, with all parts, pendicles and pertinents whatsoever, and with all and sundry other liberties, immunities, rights and privileges whatsoever belonging thereto, and of which the said provost, baillies, councillors and community, and their predecessors, were in possession in any times past; also together with as full and great privileges, liberties and immunities as were given, granted and disposed by us or by any of our ancestors to our burghs of Edinburgh, Perth, Dundee, or any other royal burgh within our said kingdom of Scotland, at any time past preceding the day and date of our present charter; and with all right, title, interest, claim of right, property and possession, which we or our predecessors or successors had, have, or in any way may claim or pretend to have, in or to our foresaid burgh of Aberdeen, lands, acres, crofts, common lands, mills, multures, fishings, castles, loch, meadows, hills, links, blockhouse, anchorages, toll and bell customs, tron weights, measures, annual

* "*Cum tenentibus, tenandriis*—with tenants and tenandries, seems to give the grantee only the rights of a landlord over a free tenant, though no doubt there were services exacted from the freest tenant by the lord—service in harvest, carriages, labour on the roads of the barony." —Cosmo Innes' *Scotch Legal Antiquities*, p. 49.

et eccliam que olim ad dtos fratres franciscanos seu Minores spectabant aliaq, tam spēaliter quā gñaliter supra recitat vel ad aliquā partem pendiculū aut portionem earundem firmas proficua casualitates et deuorias eiusmodi quorūcunq, ānorū et terminorū preteritorū aut futurorum pro quacunq, causa facto aut occasione preterita diem datāq, pntis carte nre precedē renūciando quiete clamando et simpliciter exonerando eis cū ōnibus actione instantia et execūne nobis vel successoribus nris compēteñ seu competere valeñ prefatis Preposito Balliuis Consulibus et cōmunitati dti burgi nri suisq, successoribus ac in fauorem eorū pro nūc et in perpetuū cum pacto de non petendo ac cum supplemento ōniū aliorū defectuū objectionū et imperfectionū quorūcunq, tā non noīat quā noīat pntium preteritorū quā futurorū quos nos tanq^u pro express in hac pnti carta nra haberi volumus ac desuper pro nobis et successoribus nris in perpetuum dispensamus VLTERRIUS cum auisamento et consensu predicto ex nra regia p̄tate autoritate regali certa scientia et proprio motu vniuius ānexauimus et incorporauim⁹ tenoreq, pntis carte nre pro nobis et successoribus nris vnimus ānexamus et incorporamus ad et cū dfo burgo nro de Abirdene

rents, dwelling, place, houses, yards and church which of old belonged to the said Franciscan or Minor Friars, and others above recited as well specially as generally, or to any part, pendicle or portion thereof, renouncing, quitting, and simply upgiving to the same, the rents, profits, casualties and duties thereof for any years or terms whatsoever bygone or to come, for any bygone cause, deed or occasion whatsoever, preceding the day and date of our present charter, with all action, instance and execution competent, or that may be competent to us or our successors against the foresaid provost, baillies, councillors and community of our said burgh, and their successors, and in their favour now and for ever, with the agreement of not seeking, and with supplement of all other defects, objections and imperfections whatsoever, as well not named as named, present, bygone and to come, which we wish to be held as set forth in this our present charter, and wherewith we, for us and our successors, do for ever dispense. FURTHER, with advice and consent aforesaid, of our royal power, regal authority, certain knowledge and free will, we have united, annexed and incorporated, and by the tenor of our present charter, for us and our successors, do unite, annex and incorporate to and with our said burgh of Aberdeen, the liberties and privileges thereof,

libertatib⁹ et priuilegiis eiusdem ōnes et singulas predtas terras acras croftas t^{ras} cōes molendina multuras piscarias castra lacū prata montes viridaria propugnaculū anchoragia lie toll et bell customes lie trone wechtis mensuras ānuos redditus mansionem domos hortos aliaq⁹ g^ñaliter et p^{ar}ter supra recita⁹ ac volum⁹ et concedimus ac pro nobis et successoribus n^{ris} decernim⁹ et ordinam⁹ Quod vnica sasina virtute huius p^{re}ntis carte n^{re} preposito aut vni balliuorū d^{ti} n^{ri} burgi apud crucem foralem eiusd^{em} per terre et lapidis fundi deliberationem danda et concedenda Stabit et erit sufficiens sasina dic^t Preposito Balliuis consulibus et cōitati d^{ti} burgi eorumq^{ue} successoribus ōni t^{em}p^{or}e futuro pro toto et integro d^{to} burgo omnibusq^{ue} et singulis t^{er}ris dōibus edificiis hortis tene-mentis portis croftis acris rudis terris cōmuniis Terris de Rubislaw et terris de Cruiffis salmonū piscariis super d^{ti}s aquis de Dee et done molendinis multuris monte castri futtie propugnaculo portu lie havin peir et schoir lie Bell custome toll et small customes lie Trone wechtis mensuris ponderibus pratis lacu viridariis montibus anchoragiis ānuis redditibus mansionibus libertatibus priuilegiis aliisq^{ue} specialiter et g^ñaliter supra mentiona⁹ adeo libere in ōnibus respectibus ac si d^{ti}s

all and sundry the foresaid lands, acres, crofts, common lands, mills, multures, fishings, castles, loch, meadows, hills, links, blockhouse, anchorages, toll and bell customs, tron-weights, measures, annual rents, dwelling place, houses, yards and others, generally and particularly set forth above; and we will and grant, and, for us and our successors, decree and ordain, that a single sasine, to be given and granted in virtue of this present charter to the provost or to one of the baillies of our said burgh, at the market cross thereof, by the delivery of earth and stone, shall stand and be a sufficient sasine to the said provost, baillies, councillors and community of the said burgh and their successors in all time to come, for all and whole the said burgh, and for all and sundry lands, houses, buildings, yards, tenements, gates, crofts, acres, roods, common lands, lands of Rubislaw and lands of Cruives, salmon fishings on the said waters of Dee and Don, mills, multures, Castlehill, Futtie, blockhouse, haven, pier and shore, bell custom, toll and petty customs, tron-weights, measures, weights, meadows, loch, links, hills, anchorages, annual rents, dwelling places, liberties, privileges and others, specially and generally mentioned above, as freely in all respects as if the said burgh and others above written lay together and side by side, and not in divers places and parts, and also as if

burgus aliaq, prescripti simul et contigues et non in diuersis locis et partibus jacerent ac etiam si particulares sasine apud quilibet partem et locū earund cum ōnibus solemnitatibus requisitis caperentur Et non obstaſt illd Super quibus nos pro nobis et successoribus nŕis dispensauimus ac per pŕntis carte nŕe tenorem pro nŕc et in perpetuum dispensamus Sic q sasina nunc modo et forma supra expressę capienda Stabit ac in se erit valida itima et sufficiens abeq, aliqua alia sasina de eisdem aut de aliqua earund parte in posterum suscipienda **TENEN ET HABEM** Totum et integrum dtum nŕm burgum de Abirdene cum omnibus et singulis terris domibus edificiis hortis tenementis portis propugnaculo portu lie Bulwark peir et schoir croftis acris rudis terris comūniis Terris de Rubislaw et Cruiffis Salmonū piscariis super dtis aquis de Dee et Done molendinis multuris monte castris pratis et suburbe callit futtie cum capellis cymbis et albis piscationibus lie Bell Custome Toll et small customs lie tron wechtis mensuris lacubus montubus viridariis anchoragiis custumis annuŕis redditibus mansionibus libertatibus priuilegiis aliisq, spēaliter et gŕaliter supra mentionaŕ prefatis Preposito Balliuis Consulibus et comūnitati dipti nŕi bargi eorumq, successoribus de nobis nŕisq, successoribus in feodo hereditate ac

particular sasines were taken on every part and place thereof, with all the requisite solemnities; and notwithstanding the [omission of the] same, wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter do now and for ever dispense; so that a sasine now taken in the mode and form above set forth shall stand and be in itself valid, lawful and sufficient, without the execution in time to come of any other sasine thereupon, or on any part thereof. **TO BE HELD AND HAD**, all and whole, our said burgh of Aberdeen, with all and sundry lands, houses, buildings, yards, tenements, gates, bulwark, haven, pier and shore, crofts, acres, roods, common lands, lands of Rubislaw and Cruives, salmon fishings on the said waters of Dee and Don, mills, multures, Castlehill, meadows, and suburb called Futtie, with chapels, boats and white fishings, bell custom, toll and petty customs, tron-weights, measures, lochs, hills, links, anchorages, customs, annual rents, dwelling places, liberties, privileges and others, specially and generally mentioned above; by the foresaid provost, bailies, councillors and community of our said burgh, and their successors, of us and our successors, in fee, heritage and free burgage for ever, by all their

libero burgagio in perpetuū per ōnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris marresiis viliis semitis aquis stagnis riuolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis curriculariis columbis columbariis fabrilibus brasinis brueriis brueriis [sic] et genestis Siluis nemoribus et virgultis lignis tignis lapicidiis lapide et calce Cum curiis et earū exitibus herezeldis bludewetis et mulierum merchetis cum omni pastura liberoq; introitu et exitu ac cum omnibus aliis et singulis libertatibus cōmoditatibus proficuis asiamentis ac iustis suis pertineñ quibuscunq; tā non noīat quā noīat tam subtus tra quā supra tram procul et prope ad predictū burgum tras aliaq; predictū cum pertineñ spectāñ seu iuste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace absq; vlla reuocatione contradictione impedimento aut obstaculo aliquali REDDENDO inde annuatim nobis nrisq; successoribus nrisq; computorum rotulatoribus nro noīe predictam summam ducentarum tredecim librarum sex solidorum et octo denariorū vsualis monete huius regni nri scotie In terminis solutionis eiusdem solitis et consuetis Tanquam antiquam diuoriam seu

ancient right meiths and marches, as they lie in length and breadth, in houses, buildings, woods, plains, moors, marshes, roads, paths, waters, ponds, streams, meadows, pastures and pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal pits, rabbits, rabbit warrens, doves, dovecots, smithies, brewhouses, heath and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts and their issues, herezelds, bloodwits, and merchets of women, with common pasture and free ish and entry, and with all and sundry other liberties, conveniences, profits, easements and their just pertinents whatsoever, as well not named as named, as well under the ground as above the ground, far and near, belonging, or which may in any way justly belong in time to come, to the foresaid burgh lands and others aforesaid, with pertinents; freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, hindrance or obstacle of any kind. PAYING therefor yearly to us and to our successors, and to our comptrollers in our name, the foresaid sum of two hundred and thirteen pounds six shillings and eightpence usual money of this our kingdom of Scotland, at the terms of payment thereof used and wont, as

ānuū censum pro firmis burgalibus dñi nři burgi solui solit et consuet
 Ac in scaccario nřo per auditores eiusd annuatim oibus třribus retroactis
 recept et allocat vna cū sumā viginti solidorum monete antedte in aug-
 mentānem rentalis nři nomine firmarum burgalium Tantū absq aliqua
 alia exactione onere questione demanda seu seruitio seculari que de
 predicto burgo aliisq supra script aliqualiter exigī poterint quomodolibet
 vel requiri IN CUJUS REI testimonium huic pnti carte nře magnum
 sigillum nřm apponi precepimus TESTIBUS predilectis nřis consanguineis
 et consiliariis Jacobo Marchione de hamiltoun comite arranie dño Evañ
 etc Georgio Mariscalli comite dño Keith etc Regni nři Mariscallo
 Alexandro comite de dumfermling dño fyvie etc nřo Cancellario Thoma
 dño Bynning etc nřo secretario dilectis nřis familiaribus consiliariis
 Dño Ricardo Cockburne juniore de Clerkingtoun nři secreti sigilli custode
 Georgio Hay de Netherliff nřorum rotulorū regři ac consilii clerico
 Joanne Cockburne de Ormestoun nře justiciare clerico Et Joanne scott de
 Scottistarvet nře cancellarie direttore militibus APUD Faulkland decimo
 septimo die mensis Julii anno dñi millesimo sexcentesimo decimo
 septimo Ac Annis regnorum nřorum Quinquagesimo et decimo quinto

the ancient duty or annual mail, by way of burgh rents of our said burgh,
 used and wont in all times past to be yearly paid, and received and allocated
 in our exchequer by the auditors thereof; together with the sum of twenty
 shillings money aforesaid in augmentation of our rental in name of burgh
 rents only, without any other exaction, burden, question, demand or secular
 service which could be in any way exacted or required of the foresaid burgh
 and others above written. IN WITNESS WHEREOF we have ordered our great
 seal to be appended to this our present charter. WITNESSES: Our well-
 beloved cousins and councillors, James, Marquis of Hamilton, Earl of
 Arran, Lord Avon, etc.; George, Earl Marischal, Lord Keith, etc., Mar-
 shall of our Kingdom; Alexander, Earl of Dunfermline, Lord Fyvie, etc.,
 our Chancellor; Thomas, Lord Binning, etc., our Secretary; our beloved
 familiar councillors, Sir Richard Cockburn, Younger of Clerkington, Keeper of
 our Privy Seal; George Hay of Netherchft, Clerk of our Rolls, Register, and
 Council; John Cockburn of Ormeston, our Justice Clerk; and John Scot of
 Scotstarvet, Director of our Chancery, Knights. At Falkland, the seventeenth
 day of the month of July in the year of our Lord one thousand six hundred
 and seventeen, and in the years of our reigns the fiftieth and the fifteenth.

XLIV.

JACOBUS Dei gratia Magne Britannie Francie et Hybernie Rex Fideiq, defensor OMNIBUS probis hominibus totius terre sue clericis et laicis salutem SCIATIS nos cum ausamento et consensu predilecti nři consanguinei et consilarii Joannis comitis de Mar dři Arskene et Garioche etc magni thesaurarii computorum rotulatoris collectoris gřalis ac nři thesaurarii nřarum novarum augmentationum infra regnum nřm Scotie necnon predilecti nři consilarii dři Gedionis Murray de Eliebank militis nři thesaurarii computorum rotulatoris collectoris gřalis et thesaurarii nřarum novarum augmentationum deputati infra dictum nřm regnum dominorumq, nřorum cōmissionariorum infra eiusdem regnum nřm dedisse concessisse et in feudifirma hereditarie disposuisse et hac pñti carta nřa confirmasse tenoreq, eiusdem cum avisamento et consensu predicť dare concedere et in feudifirma hereditarie disponere ac pro nobis et successoribus nřis pro perpetuo confirmare dilectis nřis dño Thoma Menzeis de Cultis militi preposito Willielmo Gray Thome Forbes Roberto Johnestoun et Gilberto cullen

XLIV.

King James VI. confirms to the provost, baillies, etc., a grant made (12th July, 1612), by Master Duncan Liddell, of the lands of Pitmedden, for the maintenance of poor scholars. 20th August, 1617.

JAMES, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE, that with advice and consent of our well-beloved cousin and councillor, John, Earl of Mar, Lord Erskine and Garioch, etc., high treasurer, comptroller, collector-general, and our treasurer for our new augmentations within our kingdom of Scotland, as also of our well-beloved councillor, Sir Gideon Murray of Eliebank, Knight, our depute treasurer, comptroller, collector-general, and treasurer for our new augmentations within our said kingdom, and of our Lords Commissioners within our same kingdom, we have given, granted and heritably disposed in feufarm, and by this our present charter have confirmed, and by the tenor thereof, with advice and consent aforesaid, do give, grant and heritably dispone in feufarm, and for us and our successors for ever do confirm, to our beloved Sir Thomas Menzies of Cults, Knight, provost; William Gray, Thomas Forbes, Robert Johnston, and Gilbert

Balliuis et magistratibus Burgi nři de Aberdene pro se et nomine consilii et communitatis dicti burgi et eorum successoribus prepositis balliuis magistratibus consilio et communitati dicti burgi ad vsum infrascriptę et pro sustentatione pauperum studiosorum in modo subsequenę OMNES et singulas villam et terras de Pitmedden cum domibus edificiis hortis toftis croftis partibus pendiculis et pertineę petariis pratis lesuris cum comunitate ac cōi pastura eiusdem et piscaria salmonum dictis terris spectaę et privilegio eiusdem supra aqua de Done ac cum libera potestate fodiendi lucrandi et transportandi glebas et focalia de glebario de Dyce jaceę in parochia de Dyce et vicecomitatum de Aberdene necnon decimas garbales ořm et singularum predictarum ville et terrarum cum partibus pendiculis et pertineę nunc cum trunco annexatas vnitas et incorporatas eo fine vt cum dictis terris omni tempore futuro inseparabiliter remaneant QUEQUIDEM villa et terre de Pitmeddeę salmonum piscatio aliaq; suprascriptę per quondam Maęrum Duncanum Liddell Doctorem Medicine acquisita fuerunt ad hunc finem vt pro sustentatione sex pauperum studentium in collegio Abirdonensi fundari et mortificari possent Ac per ipsum Georgio Strauchane in Glithno in

Cullen, baillies and magistrates of our burgh of Aberdeen, for themselves, and in name of the council and community of the said burgh, and to their successors, provosts, baillies, magistrates, council and community of the said burgh, for the use underwritten, and for the maintenance of poor scholars in manner to follow. ALL and sundry the town and lands of Pitmedden, with houses, buildings, yards, tofts, crofts, parts, pendicles and pertinents, potaries, meadows, leasures, with commonty and common pasture thereof, and the salmon fishing belonging to the said lands, and the privilege thereof on the water of Don, and with free power to cast, win and lead peats and fuel from the peat moss of Dyce, lying in the parish of Dyce and shieriffdom of Aberdeen, as also the teind sheaves of all and sundry the aforesaid town and lands, with parts, pendicles and pertinents, now annexed, united and incorporated with the stock, to the end that in all time to come they may remain inseparable from the said lands. WHICH town and lands of Pitmedden, salmon fishing and others above-written were acquired by the deceased Master Duncan Liddell, Doctor of Medicine, to the end that they might be devised and mortified for the maintenance of six poor students in the College of Aberdeen; and by him were conveyed in feu to George Strachan in Glithno; to be held of us and

feudifirma alienata fuerunt Teneti de nobis et successoribus nris in feudifirma et hereditate pro solutione certi annui redditus nobis facien Ac aliarum reddituum subscripti pro sustentatione dictorum studiosorum Queq; alienatio facta dicto Georgio Strauchane per nos itime confirmata fuit QUASQUIDEM terras salmonum piscatione aliaque suprascripti dictus Georgius Strauchane per suos procuratores et iras procuratoriales ad hunc effectum itime constitut in manibus dñorum commissionariorum regni nri Scotie ptatem habentium resignationes nro noie recipiendi tanquam in manibus nris immediati superioris apud Edinburgum resignavit cum omne jure titulo et interesse jurisclameo proprietate aut possessione que et quas dictus Georgius Strauchane in et ad predictas terras piscationes aliaq; supradicta aut aliquam earundem partem omni tempore affuturo habuit habet seu quouismodo habere potuit in favorem et pro hoc novo feudifirme infeofamento dictis preposito balliis consilio et communitati dicti burgi de Abirdeñ et eorum successoribus per nos in debita et competenti forma dando et concedendo QUEQUIDEM decime garbales dictarum terrarum aliarumq; suprascripti antea ad rectoriam de Kinkell tanquam pars patrimonii eiusdem pertinuerunt et quas Mañr Joannes Walker rector de Kinkell cum avisamento et consensu Reuerendi

our successors in feufarm and heritage, in return for a certain annual rent to be paid to us, and for other rents underwritten towards the maintenance of the said poor scholars; which conveyance made to the said George Strachan was lawfully confirmed by us. WHICH lands, salmon fishing and others above-written, the said George Strachan, by his procurators and procuratorial letters to that end lawfully constituted, did resign at Edinburgh in the hands of the Lords Commissioners of our kingdom of Scotland, empowered to receive resignations in our name, as in the hands of us, the immediate superior, with all right, title and interest, claim of right, property, or possession, which the said George Strachan had, has, or in any way could have in all time to come, in and to the foresaid lands, fishings and others above-written, in favour of, and for this new infeftment of feufarm to be given and granted by us in due and competent form to, the said provost, baillies, council and community of the said burgh of Aberdeen and their successors. WHICH teind sheaves of the said lands and of others above-written formerly belonged to the parsonage of Kinkell as part of the patrimony thereof, and which Master John Walker, parson of Kinkell, with advice and consent of the Reverend Father in God,

in Deo patris Joannis Archiepiscopi Sancti Andree patroni dicte rectorie ac episcopi et capituli ecclesie cathedralis Abirdoneſi in manibus dictorum dñorum cōmissionariorum regni nři Scotie dictam p̄tatem habentium tanquam in manibus nřis demisit extradonauit resignauit ad hunc effectum vt predictę decime pro meliori mortificatione dictarũ terrarum de Pettmeden et decimarum earundem ad sustentationem dictorum studiosorum omni tempore affuturo disponderentur conjugerẽtur et cum trunco seu stipite vnirentur secundum voluntatem et intentionem dicti quondam Mağri Duncani Liddell mortificatoris earundũ apud [sic] per suas procuratores et lr̄as procuratoriales eorum manibus subscriptas ad effectum supra specificatũ cum õni jure et titulo dicto Mağro Ioanni et suis successoribus rectoribus de Kinkell ad dictas decimas terrarum suprascriptũ competentibus Quamquidam mortificationem dictarum terrarum et decimarum earundem nos in nřo parlamento * * * ratificamus approbamus et confirmamus * * * TENENDAS ET HABENDAS omnes et singulas predictas villam et

John, Archbishop of St. Andrews, patron of the said parsonage, and of the bishop and chapter of the Cathedral Church of Aberdeen, did demit, upgive, resign, in the hands of the said Lords Commissioners of our kingdom of Scotland, empowered as above, as in our hands, to this effect, that the foresaid teinds, for the better mortification of the said lands of Pitmedden and the teinds thereof towards the maintenance of the said scholars in all time to come, might be dispoſed, conjoined and united with the stock or conform to the will and intention of the said deceased Master Duncan Liddell, the mortifier thereof, at , by his procurators and procuratorial letters subscribed by their hands, to the end above set forth, with all right and title competent to the said Master John and his successors, parsons of Kinkell, to the said teinds of the lands above-written. Which mortification of the said lands and teinds thereof we in our parliament * * do ratify, approve and confirm.*

TO BE HELD AND HAD all and sundry the foresaid town and lands of Pit-

* Liddell's Deed of Mortification, 12th July, 1612, and the ratifying Act of Parliament, 28th June, 1617, will be printed in the *Fasti Academia Mariscallana*, to be issued by the New Spalding Club.

terras de Petmeddeñ cum domibus edificiis hortis toftis croftis partibus pendiculis et pertineñ petariis pratis lesuris cum cōi pasturagio et cōmunitate earundem et salmonum piscaria eiusdem spectañ et priuilegio eiusdem supra dicta aqua de Don cum libera p̄tate fodiendi lucrandi et transportandi glebas et focalia in dicto glebario de Dyce vna etiam cum dictis decimis garbalibus dictarum terrarum partibus et pendiculis earundem nunc vññ annexa et incorpora et cum stipite vt dictum est prefatis preposito et balliuis consilio et communitati dicti burghi de Abirdene eorumq̄ successoribus De nobis et successoribus n̄ris in feudifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris maresiis viis semitis aquis stagnis rivolis pratis et pasturis molendinis multuris et eorum sequelis Aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis et genestis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis querelis herezeldis bluidewitis et mulierum merchetis cum cōi pastura libero introitu et exitu Ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis

medden, with houses, buildings, yards, tofts, crofts, parts, pendicles and pertinents, petaries, meadows, pastures, with common pasturage and commonty thereof, and salmon fishing belonging thereto, and the privilege thereof on the said water of Don, with free power to cast, win and lead peats and fuel in the said peat moss of Dyce, together also with the said teind sheaves of the said lands, parts and pendicles thereof, now united, annexed and incorporated with the stock, as said is; by the foresaid provost and baillies, council and community of the said burgh of Aberdeen and their successors; of us and our successors in feudfarm and heritage for ever, by all their true ancient meiths and marches, as they lie in length and in breadth, in houses, buildings, forests, plains, moors, marshes, ways, paths, ponds, streams, meadows and pastures, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal pits, rabbits, rabbit warrens, doves, dovecots, smithies, brewhouses and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts, actions, herizelds, bloodwits, and merchets of women, with common pasture, free ish and entry, and with all and sundry other liberties, conveniences, profits, easements and their just pertinents whatsoever, as well

ac justis suis pertineñ quibuscunq, Tam non noīatis quam noīat tam subtus terra quam supra terram procul et prope ad predicf terras decimas aliaq, particulariter supra recitañ cum pertineñ spectañ seu juste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace Sine aliqua revocatione contradictione impedimento aut obstaculo quocunq, REDDENDO annuatim dicti prepositus balliui consules et communitas dicti burgi de Abirdene Nobis et successoribus nñis pro dictis ville et terris de Petmeddeñ salmonum piscaria decimis aliisq, supradictis summam sex librarum vsualis monete regni Scotie ad duos anni terminos festa viz Penthecostes et Sancti Martini in hyeme per equales portiones et dictis sex studiosis dicti collegii annuatim post eorum pñtationem vt dictum est octuaginta quatuor bollas victualiū currentis mensure cuius dimedia pars sit ex pollenta altero vero ex pharina Viz vniciuq, ex dictis sex studiosis quatuor decem bollas predicti victualii boni et sufficientis mercimonii de granis super dictas terras de Pitmeddeñ annuatim crescentibus ad terminos solutionis firmarum vsitatos et consuetos Necnon soluendo pro dictis decimis rectori de Kinkell et suis successoribus jus ad id habentibus summam octo librarum monete Scotie annuatim ad festum Sancti Martini in

not named as named, under the earth and above the earth, far and near, belonging, or which may in future in any way come to the foresaid lands, teinds and others particularly set forth above; freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, impediment or obstacle whatsoever. PAYING yearly the said provost, baillies, councillors and community of the said burgh of Aberdeen to us and our successors for the said town and lands of Pitmedden, salmon fishing, teinds and others above named, the sum of six pounds usual money of the kingdom of Scotland, at two terms in the years, the feasts, to wit, of Pentecost and St. Martin in winter, by two equal portions; and to the six scholars of the said college yearly after their presentation, as said is, eighty-four bolls of victual, current measure, half meal, half malt, viz., to each of the said six students fourteen bolls of the foresaid victual, good and sufficient stuff, of grain growing on the said lands of Pitmedden yearly, at the terms of payment of rent used and wont; as well as paying for the said teinds to the parson of Kinkell and his successors, having right thereto, the sum of eight pounds money of Scotland annually at the feast of St. Martin in winter; and also to the minister actually serving the cure in

hyeme Ac etiam ministro Curam actualiter ad ecclesiam de Dyce seruiente quatuor bollas victualium nempe duas farine et duas pollenti sufficientis mercimonii ad festum purificationis vulgo Candilmes nūcupat et deliberando dictam rectoriam de Kinkell pñtem et suos successores ab omnibus taxationibus de dictis decimis exigendis noīe feudifirme tantum pro omni alio onere exactione questione vel deuoria que de dictis terris aliisq; suprascriptis exigī poterit quomodolibet vel requiri PROVISIO etiam quod non licebit dictis preposito balliuus consilio et communitati dicti burghi de Abirdene pñtibus aut futuris predictas decimas garbales ad vllum alium vsum quam pro sustentatione dictorum sex studiosorum applicare et si in contrarium fecerint hec pñs mortificatio dictarum decimarum nulla erit æaq; ad rectoriam de Kinkell cuius olim pars fuerant revertentur IN CUIUS REI testimonium huic pñti carte nre Magnum Sigillum apponi precepimus TESTIBUS (vt in aliis cartis consimilis date precedē) Apud Edinburgum Vigesimo die Mensis Augusti Anno Dñi Millesimo Sexcentesimo Decimo-septimo Annis regni nri Quinquagesimo primo et Decimo quinto

the church of Dyce four bolls of victual, two meal, two malt, sufficient stuff, at the feast of the Purification, commonly called Candlemas, and freeing the said present parsonage of Kinkell and his successors from all taxes levied on the said teinds in name of feufarm only; for all other burden, exaction, question or duty could in any be exacted or demanded from the said lands and others above written. PROVIDING also that it shall not be lawful for the said provost, baillies, councillors and community of the said burgh of Aberdeen, present or to come, to apply the foresaid teind sheaves to any other use than for the maintenance of the said six scholars, and if they shall act otherwise this present mortification of the said teinds shall be null, and the same shall revert to the parsonage of Kinkell, of which they had formerly been part. IN WITNESS WHEREOF we have ordered our great seal to be appended to this present charter. WITNESSES (as in other charters of same date).* At Edinburgh, the twentieth day of the month of August in the year of our Lord one thousand six hundred and seventeen, and in the years of our reign the fifty-first and fifteenth.

* Recorded in *Registrum Magni Sigilli*,

XLV.

CAROLUS Dei gratia magne Britannie Francie et Hybernæ Rex fideiq; defensor OMNIBUS Probis hominibus Totius terre sue clericis et laicis Salutem SCIATIS Quia dilectus noster Magister Patritius Dwne medicine Doctor ac Primarius novi collegii Abredoneñ emit et acquisivit sibi in vitali redditu pro omnibus sue vite dieb⁹ et post ejus obitum tunc destinã et destinãd ad pios vsus via mortificationis per ipsum nominãd quovis tempore ante ejus decessum TOTAS et integras terras et villam de Ferriehill tam solarem quam vmbralem dimidietatem cum lie ailhouss et smiddicroftis earundem cum molendino terris molendinariis multuris et sequelis cumq; omnibus et singulis domibus edificiis hortis toftis croftis teneñ tenañ libere teneñ servitiis partibus pendiculis et pertineñ suis quibuscunq; jaceñ infra parochiam de Sanct Machar et vicecomitatum nostrum de Abirdeine TENEN DE NOBIS et successoribus nñis hereditarie in feudifirma Et que olim de priore et conventu Sancte trinitatis de Abirdein tente fuerunt pro añua solutione

XLV.

King Charles I. confirms to the provost, baillies, etc., a grant made (3rd August, 1631), by Master Patrick Dun, of the lands of Ferryhill, for the maintenance of teachers in the Grammar School. 20th July, 1633.*

CHARLES, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. Know ye that our beloved Master Patrick Dun, doctor of medicine and principal of the new College of Aberdeen, did buy and acquire, for himself in liferent for all the days of his life, and then after his death destined and to be destined to pious uses by way of mortification to be named by himself at any time before his death, ALL and whole the lands and town of Ferryhill, as well the sunny as the shady half, with the alehouse and smithy crofts thereof, with the mill, mill lands, multures and sequels, and with all and sundry houses, buildings, yards, tofts, crofts, tenants, tenandries, services of free tenants, parts, pendicles and their pertinents whatsoever, lying within the parish of St. Machar and our shire of Aberdeen; TO BE HELD OF US and our successors, heritably in feufarm, and which were formerly held of the prior and convent of the Holy Trinity of Aberdeen for an annual payment of the sum of twenty pounds usual money of

* See the Charter by Patrick Dun, *postea*.

sumē viginti librarum vsualis monete huius regni nostri Scotie ad duos anni terminos festa viz pentecostes et sancti Martini in hyeme per equales portiones prout in carta et infeofamento facē et concess per Patritium Hepburne Apud molendinum de Ess[lemont] hereditarium proprietarum dicti Trarum molendini aliorumq, predicti cum avisamento et consensu Magistri Willielmi Hepburne apud molendinum de Abirdour ejus fratris germani et Duncani Wilsone burgeñ burgi nostri de Abirdein pro se ipso ac onus in se suscipieñ pro Georgio et Willielmo Wilsones ejus filiis itimis et per ipsos omnes vnamini consensu et assensu prefato Magistro Patritio Dwne in vitali redditu Et postea ad pios vsus per ipsum destinari et mortificari quovis tempore durante sua vita de data Apud Abirdene quarto die mensis Junii anno domini millesimo sexcentesimo vigesimo nono cum precepto sasine in eadem carta contento et sasina desuper sequuta latius continetur Et similiter dictus Magister Patritius Dwne jamdudum acquisivit sibi suisq, heredibus assignatis subtenentibus et adjutoribus a principali comune procuratore et reliquis membris nri collegii de Abirdene et a diacono ecclesie cathedralis ejusdem vnam assedationem decimarum garbaliū dictarum Trarum de Ferriehill et Trarum molendinariarum cum toftis croftis partibus

this our kingdom of Scotland at two terms of the year, the feasts, to wit, of Pentecost and St. Martin in winter, by equal portions, as is more fully set forth in the charter and infeftment made and granted by Patrick Hepburne, at the Mill of Esslemont, heritable proprietor of the said lands, mill and others aforesaid, with advice and consent of Master William Hepburne, at the Mill of Aberdour, his brother german, and of Duncan Wilson, burgess of our burgh of Aberdeen, for himself, and taking the burden on himself for George and William Wilson, his lawful sons, and all for themselves, with unanimous consent and assent, to the foresaid Master Patrick Dun, in liferent, and afterwards for pious uses to be destined and mortified by himself at any time during his life; dated at Aberdeen the fourth day of the month of June in the year of our Lord one thousand six hundred and twenty-nine, with the precept of sasine contained in the same charter, and the sasine thereupon following. AND likewise the said Master Patrick Dun did long since acquire for himself and his heirs, assignees, subtenants and helpers, from the principal, common procurator and remanent members of our College of Aberdeen, and from the deacon of the Cathedral Church thereof, an assedation of the teind sheaves of the said lands of Ferryhill and mill lands, with the tofts, crofts, parts, pendicles and pertinents

pendiculis et pertineñ earundem pro omnibus diebus vite dicti principalis et pro spatio quinque annorum post ejus decessum pro ānua solutione quinquaginta mercarum mo^{re} hujus regni nři Scotie ad dictum terminum Sancti Martini IN quaquidem assedatione dicti Magistri et membra dicti collegii astrinxerunt et obligaverunt se ipsos et suos succōres post expirationem dicte assedationis subscribere et tradere dicto Mağro Patritio Dwne et suis predicti vnam novam assedationem dicti decimarum garbalium debite extensam pro vita titularis pro tempore representañ diaconum de Abirdene et pro spatio quinque annorum post ejus decessum Et sic a nova assedatione ad alteram novam assedationem toties quoties dicte assedationes expirabunt pro perpetuo omnibus temporibus affuturis pro solutione dicte ānue divorie quinquaginta mercarum Ac sub conditionibus et provisionibus in dicta assedatione latissime specifica^l prout eadem facta finita et perfecta per modum contractus de data Apud dictum nřm Collegium de Abirdein vigesimo octavo die mensis Maii vltimo elapsi anno domini millesimo sexcentesimo trigesimo tertio etiam latius proportionat QUEM AD MODŪ secundum dictam hereditariam dispositionem dicti trarum de Ferriehill aliorumq, predicti et jus dicti decimarum garbalium earundem per dicti

thereof, for all the days of the life of the said principal and for the space of five years after his death, for a yearly payment of fifty merks money of this our kingdom of Scotland at the said term of St. Martin; IN which assedation the said masters and members of the said College bound and obliged themselves and their successors after the expiry of the said assedation to subscribe and deliver to the said Master Patrick Dun and his foresaids a new assedation of the said teind sheaves duly extended for the life of the titular for the time being representing the deacon of Aberdeen and for the space of five years after his death; and thus from new assedation to other new assedation, as often as the said assedations shall expire, for ever in all time to come, for payment of the said yearly duty of fifty merks; and under conditions and provisions specified at length in the said assedation, as the same was made, finished and completed by the nature of the contract dated at our said College of Aberdeen the twenty-eighth day of the month of May bypast in the year of our Lord one thousand six hundred and thirty, more fully sets forth. WHEREBY, according to the said heritable disposition of the said lands of Ferryhill and others aforesaid, and the right to the said teind sheaves thereof conquest and acquired by the said

maġrum Patritium Dwne vt supra conquest et acquisit dictus magister Patritius per ejus tras mortificationis per ipsum fact et subscript de data tertio die mensis augusti anno domini millesimo sexcentesimo trigesimo primo declaravit notumq, et manifestum fecit ejus voluntatem penes mortificationem dicti Trarum et decimarum earundem fore pro sustentatione quatuor ludimagistrorum in schola gramāticali predicti burgi nostri de Abirdein pro perpetuo omnibus temporibus affuturis Et ad hunc effectum dictus Magister Patritius Dwne ad honorem dei omnipotentis et pro beneficio ecclesie et reipublice dedit concessit disposuit et pro perpetuo mortificavit preposito ballivis consulibus et comūnitate dicti burgi nri de Abirdene et eorum sucōribus prepositis ballivis consulibus et comūnitati ejusdem omnibus temporibus affuturis pro sustentatione dictorum quatuor ludimagistrorum in eorum schola gramāticali modo et sub conditionibus ac cum clausulis provisionibus et limitationibus in eadem mortificatione contenti TOTAS et integras dictas villam et terras de Ferriehill cum molendino Tris molendinariis multuris et sequelis earundem cum dictis lie ailhouss et Smyddie croftis domibus edificiis hortis toftis croftis teneñ tenañ libere teneñ servitiis partibus pendiculis et pertineñ vna cum dictis decimis garbalibus earun-

Master Patrick Dun as above, the said Master Patrick, by his letters of mortification made and subscribed by himself, of date the third day of the month of August in the year of our Lord one thousand six hundred and thirty-one, did declare and make known and manifest his will in the said mortification of the said lands and teinds thereof to be for the maintenance of four teachers in the grammar school of our foresaid burgh of Aberdeen for ever in all time to come ; AND to this effect the said Master Patrick Dun, to the honour of Almighty God and for the benefit of the church and the commonwealth, did give, grant, dispone and for ever mortify to the provost, baillies, councillors and community of our said burgh of Aberdeen and their successors, provosts, baillies, councillors and community thereof in all time to come, for the maintenance of the said four teachers in their grammar school in manner and under the conditions and with the clauses, provisions and limitations contained in the said mortification, ALL and whole the said town and lands of Ferryhill, with the mill, mill lands, multures and sequels thereof, with the said alehouse and smithy crofts, houses, buildings, yards, tofts, crofts, tenants, tenandries, services of free tenants, parts, pendicles and pertinents, together with the said teind sheaves thereof, included with

dem cum trunco inclusis jaceñ vt supra Teneñ de nobis et sucçoribus nostris nunc imēdiatis superioribus dict̃ r̃rarum virtute acti ñri ānexationis r̃rarum ecclesiasticarum huius regni nostri Scotie patrimonio corone nostre In puram et perpetuam elemosinam ac in feudifirmā pro ānua solutione feudifirme in dicta carta contenť modo et forma latissime in dictis r̃ris mortificationis specificať et contenť prout eedem litere mortificationis de data predict̃ in libris nostri consilii et sessionis pro meliore preservatione earundem inserte et reğrate decimo octavo die mensis Iulii instantis anno domini millesimo sexcentesimo trigesimo tertio etiam latius proportionant ET NOS maxime volentes atq; curam habentes corroborare ratificare et approbare premissa Necnon alios incitare ad huiusmodi bonam resolutionem et propositum IGITUR cum avisamento et consensu predilecti et confisi ñri consanguinei et consilarii Willielmi comitis de Mortoun Domini Dalkeyth et Abirdour etc ñri magni thesaurarii computorum rotulatoris collectoris generalis seu novarum ñrarum augmentationum the^{ri} infra hoc regnum ñrm Scotie Ac etiam predilecti ñri et confisi consanguinei et consilarii Ioannis Comitis de Traquair dñi de Lintoun et Caberstoun ñri deputati in dictis officiis necnon reliquorum dñorum et aliorum ñri scaccarii dicti regni

the stock, lying as above : To be held of us and our successors now immediate superiors of the said lands by virtue of our act of annexation of the church lands of this our kingdom of Scotland to the patrimony of our crown, in pure and perpetual alms, and in feufarm, for a yearly payment of feuduty contained in the said charter, in manner and form most fully specified and contained in the said letters of mortification, as the same letters of mortification of date aforesaid, inserted and registered, for the better preservation thereof, in the books of our Council and Session on the eighteenth day of the month of July now current in the year of our Lord one thousand six hundred and thirty-three, do more fully set forth. AND WE, earnestly desiring, and paying heed to, the confirmation, ratification and approbation of the foresaid, as also to the inducing of others to the like resolution and design, have THEREFORE, with advise and consent of our well-beloved and trusty cousin and councillor, William, Earl of Mortoun, Lord Dalkeith and Aberdour, etc., our high treasurer, comptroller, collector-general or treasurer of our new annexations within this our kingdom of Scotland, and also of our well-beloved and trusty cousin and councillor, John, Earl of Traquair, Lord of Lintoun and Caperstoun, our depute in the said offices, as well as of the remanent lords and

nri Scotie nostrorum comissionariorum RATIFICAVIMUS approbavimus et hac pnti carta nra confirmavimus tenoreq ejusdem Ratificamus approbamus ac pro nobis et successoribus nris pro perpetuo confirmamus dictam cartam infeofamentum et jus dicti riarum et decimarum per dicti Magrum Patritiu vt supra conquest et acquisit vnacum dicta mortificatione per ipsum desuper fact et concess de datis et contentis respieve supra expressis In omnibus et singulis suis capitibus clausulis conditionibus circumstantiis et provisionibus respieve et secundum formas et tenores hujusmodi ET VOLUMUS ac concedimus et pro nobis et sucoribus nostris decernimus et ordinamus quod pns hec nostra Ratificatio et confirmatio est et erit adeo bona valida sufficiens et effe prefato Magistro Patritio Dwne durante sua vita et post ejus decessum dictis preposito ballivis consulibus et comunitati dicti burgi nri de Abirdeine et eorum sucoribus pro erectione stablitione et conservatione dicte mortificationis ac pro frutione gavisione et possessione dicti riarum et decimarum ad vsum predict ad quem date et mortificate sunt Ac si dicta carta assedatio decimarum et mortificatio hujusmodi et earum quelibet verbatim et per expressum in hac pnti confirmatione nra specialit expresse et inserte fuissent Non obsta eadem Quocirca

others our commissioners of our exchequer of our said kingdom of Scotland, RATIFIED, approved, and by this our present charter confirmed, and by the tenor thereof do ratify, approve, and for us and our successors for ever confirm the said charter, infeftment and right of the said lands and teinds conquest and acquired by the said Master Patrick as above, together with the said mortification made and granted thereupon by him, of dates and contents respectively above set forth, in all and sundry their heads, clauses, conditions, circumstances and provisions respectively, and according to the forms and tenors thereof. AND WE WILL and grant, and for us and our successors decree and ordain, that this our present ratification and confirmation is and shall be as good, valid, sufficient and effective to the said Master Patrick Dun during his lifetime, and after his death to the said provost, baillies, councillors and community of our said burgh of Aberdeen and their successors, for the erection, establishment and preservation of the said mortification and for the benefit, enjoyment and possession of the said lands and teinds for the use aforesaid to which they were given and mortified; as if the said charter, assedation of teinds and mortification thereof, and each of these, verbatim and at length, were specially inserted and set forth in this our present confirmation, notwithstanding

et cum omnibus aliis defectibus objectionibus et imperfectionibus quibuscunq, que contra jus dict^o Erarum et decimarum nunc vt supra mortificat^o allegari aut proponi poterunt nos cum consensu predict^o pro nobis et succ^ooribus n^oris dispensavimus tenore, p^ontis carte n^ore dispensamus in perpetuum IN CUIUS REI testimonium huic p^onti carte n^ore confirmationis magnum sigillum n^orm apponi precepimus TESTIBUS predilectis n^oris consanguineis et consiliariis Iacobo Marchione de Hamiltoun Comite Arraine et Cantabrigie Domino Aven et Innerdaill etc Georgio Comite de Kinnowle vicecomite de Dupline D^ono Hay de Kynfawins dicti regni n^ori Scotie magno Cancellario Willielmo Mariscalli comite D^ono Keyth et Altrie ejusdem regni nostri mariscallo Thoma Comite de Hadintoun D^ono Bynning et Byris n^ori secreti sigilli custode Willielmo Comite de Stirling vicecomite de Cannada D^ono Alexander de Tulliebodie n^oro secretario principali Dilectis n^oris familiaribus consiliariis Dominis Ioanne Hay de Laud n^ororum rotulorum reg^ori ac consilii clerico Georgio Elphingstoun de Blythiswood n^ore justitiarie clerico et Ioanne Scott de Scottistavett n^ore Cancellarie directore militibus Apud Halryuidhous vigesimo die mensis Iulii anno Domini millesimo sexcentesimo trigesimo tertio et regni n^ori anno Nono

[the omission] of the same, wherewith, and with all other defects, objections and imperfections whatsoever, that could be alleged or brought forward against the right to the said lands and teinds now as above mortified, we with consent aforesaid, for us and our successors, have dispensed, and by the tenor of our present charter do dispense, for ever. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES: Our well-beloved cousins and councillors, James, Marquis of Hamilton, Earl of Arran and Cambridge, Lord Avon and Innerdaill, etc.; George, Earl of Kinnoul, Viscount Duplin, Lord Hay of Kinfauns, High Chancellor of our said kingdom of Scotland; William, Earl Marischal, Lord Keith and Altrie, Marischal of our said kingdom; Thomas, Earl of Haddington, Lord Binning and Byres, Keeper of our Privy Seal; William, Earl of Stirling, Viscount of Canada, Lord Alexander of Tulliebodie, our Chief Secretary; our beloved familiar councillors, Sir John Hay of Laud, Clerk of our Rolls, Register and Council; Sir George Elphinstoun of Blythswood, our Justice Clerk; and Sir John Scott of Scotstarvet, Director of our Chancery, Knights. At Holyrood House, the twentieth day of the month of July in the year of our Lord one thousand six hundred and thirty-three, and of our reign the ninth.

XLVI.

Carolus Dei gratia Magne Britannie Francie et Hibernie Rex fideiq, Defensor OMNIBUS probis hominibus totius terre sue clericis et laicis Salutem SCIATIS NOS (exacta provecta nra etate et revocatione nostra tum speciali tum generali in parlamento eque ac extrafacta pluribus his annis preterita) recolentes antecessores nros illustrissimos memorie non moriture burgum de Aberdene (qui est de antiquissimis et illustrissimis qui sunt in hoc regno nro Scotie burgis) in liberum et regium burgum erexisse ipsisq, prefecto Ballivi consiliariis burgensibus et communitati eiusd eorumq, successoribus eundem burgum cum nonnullis terris hereditatibus tenementis domiciliis structuris molendinis piscationibus privilegiis libertatibus et immunitatibus eidem spectan et pertinean per valida infeofamenta jura et securitates ipsis eorumq, predecessores desuper faci et concess dedisse et concessisse prout in iisdem latius habetur juxta que dñi prefectus Ballivi consilarii burgeñ et communitas dñi nri burgi eorumq, predecessores tenent et tenuerunt dtum burgum

XLVI.

King Charles I. confirms the privileges granted to the burgh by his predecessors. 9th September, 1638.

CHARLES, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE THAT WE—(having these many years bypast attained our full age, and having made, thereto and beyond, our revocation both special and general in parliament), calling to mind that our most illustrious ancestors, of immortal memory, erected the burgh of Aberdeen (which is one of the most ancient and most illustrious burghs in this our kingdom of Scotland) into a free and royal burgh, and gave and granted to the provost, baillies, councillors, burgesses and community thereof, and their successors, the same burgh, with several lands, heritages, tenements, houses, buildings, mills, fishings, privileges, liberties, and immunities, belonging and pertaining thereto, by valid infestments, rights and securities made and granted thereupon to them and their successors, as is set forth at greater length in the same, according to which the said provost, baillies, councillors, burgesses and community of our said burgh, and their predecessors, hold and have held in all time past the said burgh, lands, mills, fishings, and others per-

Uras molendina piscationes aliaq, eidem pertineñ libertates et privilegia eiusd omni tpre preterito vnde et ex erectione eiusdem burgi in burgum liberum et regium et dotatione cum libertatibus et privilegiis antedict prefatum burgum virtute industria et cura proborum virtuteq, preditorum ipsius incolarum facta est civitas populosa humanitate et fama celeberrima supra alios quoscunq, burgos et civitates in boreali parte dicti nri regni plurimum elevata Queq, ad hospitium et alimentum subditis nris (in conventionibus anni terminis aliisq, tam publicis q^a privatis consiliis et conventionibus ibid habitis) suppeditandum abunde sufficit que deniq, oppressos nros subditos ex partibus borealibus et montanis iuxta dtum burgum jaceñ cum huc venerint vt in asylo propugnare admodum valeat adeo vt civilitate proba gubernatione et cura magistratuum dicti burgi ipse florentissimus evasit maximo incolarum aliorumq, circumcirca subditorum nrorum commodo quorum liberi educationem in literis artibus et vocationibus omnis generis copiosam habent NOS IGITUR solliciti magis vt indies vigeat dtus burgus et ampliuntur et dilatentur ipsius redditus libertates et securitates eidem et predecessoribus fact quam vt quovis modo minuantur cum speciali avisamento

taining thereto, the liberties and privileges thereof; whence, and from the erection of the said burgh into a free and royal burgh, and the endowment thereof with liberties and privileges aforesaid, the aforesaid burgh, through the virtue, industry, and diligence of the worthy and virtuous citizens thereof, has become a populous city, most famous for learning and repute, much extolled above any other burghs or cities whatsoever in the northern part of our said kingdom; and which affords abundant supply for the lodging and entertainment of our subjects (at the term meetings and at other councils and meetings held there, both public and private); which, in fine, is well able to defend as in a sanctuary our oppressed subjects when they resort thither from the northern and highland parts lying near the said burgh; so that by the culture, good government, and diligence of the magistrates of the said burgh, the same has become most flourishing, to the very great advantage of the inhabitants and our other subjects thereabout, whose children have ample education, in letters, arts, and callings of all kinds—We THEREFORE, being desirous rather that the said burgh should flourish from day to day, and that the rents, liberties, and securities granted thereto and to the predecessors should be increased and extended, than that they should in any way be diminished, with the special advice and consent of our well-beloved and most

et consensu predilecti et fidelissimi nři consanguinei et consilarii Joannis Comitis de Traquair Dñi Lintoun et Caberstoun principalis nři thesaurarii computorum rotulatoris et collectoris dicti regni nři Scotie novarumq, nřarum augmentationum the^{ri} necnon fidelis nostri consilarii Domini Jacobi Carmichaell de eodem Militis Baronetti nři deputati in iisdem officiis ac reliquorum Dñorum et aliorum nřorum commissionariorum nři Scaccarii eiusdem regni nři RATIFICASSE approbasse et hac pñti carta nřa confirmasse tenoreque eiusdem ratificare approbare ac pro nobis et successoribus nřis pro perpetuo confirmare CARTAM factam datam et concessam per quondā charissimum patrem nřum JACOBUM Dei gratia Magne Britannie Francie et Hibernie Regem memorie non moriture cum avisamento et consensu sui principalis the^{ri} thesaurarii deputati et reliquorum Dñorum sui secreti consilii commissionariorum suorum pro tñre sub eius magno sigillo de data apud Falkland decimo septimo die mensis Julii anno Dñi millesimo sexcentesimo decimo septimo per quam dñus quondam noster charissimus pater cum avisamento et consensu supredto pro causis inibi contentis non solum ratificavit approbavit et confirmavit omnes et singulas cartas infeofamenta sasine

trusty cousin and councillor, John, Earl of Traquair, Lord Linton and Caberston, our high treasurer, comptroller and collector for our said kingdom of Scotland, and treasurer of our new augmentations; as also of our trusty councillor Sir James Carmichael of that ilk, baronet, our depute in the same offices, and of the remanent Lords and others our Commissioners of our Exchequer of the same our kingdom, HAVE RATIFIED, approved, and by this our present charter confirmed, and by the tenor thereof do ratify, approve, and for us and our successors for ever confirm, a CHARTER * made, given and granted by our umquhile dearest father JAMES, by the grace of God King of Great Britain, France, and Ireland, of immortal memory, with advice and consent of his high treasurer, treasurer depute, and remanent Lords of his Privy Council, his commissioners for the time under his great seal, dated at Falkland the seventeenth day of the month of July, in the year of our Lord one thousand six hundred and seventeen : Whereby our said umquhile dearest father, with advice and consent aforesaid, for causes therein contained, not only ratified, approved, and confirmed all and sundry charters, infeftments, precepts of sasine, instruments, confirmations, acts, sen-

precepta instrumenta confirmationes acta sententias decreta donationes exemptiones iura titulos securitates literas scripta evidencias concessionibus libertates commoditates immunitates et privilegia inibi mentionat fac concess^o vel confirmat per dict^o quond^o n^orum charissimū patrem suosq^{ue} illustrissimos predicesores Reges et Reginas Scotie vel per eorum gubernatores Regentes aut Dominos sessionis pro t^{em}pore prefato burgo n^oro de Aberdene preposito Ballivis senioribus decanis gilde thesaurariis conciliariis burgensibus et cōitati eiusdem ecclesiisq^{ue} ministris et hospitibus lie hospitalls suisq^{ue} successoribus cujuscunq^{ue} forme vel formarum contente vel contentarum date vel datarum rextiue eodem sunt Et specialiter absq^{ue} preiudicio g^{en}eralitatis antedict^o particulares cartas infeofamenta confirmationes decreta donationes exemptiones acta scripta evidencias aliaq^{ue} specialiter et particulariter in dicta carta mentionat concessionibus donationes privilegia libertates et immunitates rextiue inibi contenta cum o^mnibus et singulis aliis cartis infeofamentis concessionibus donationibus privilegiis immunitatibus iuribus parliamentorum actis conventionibus g^{en}eralibus secreti consilii sententiis et decretis dat^{is} et concess^{is} per d^{omi}num quond^o n^orum charissimum patrem eiusq^{ue} illustrissimos progenitores vel per aliq^uam aliam personam aut personas Ad et in favorem Prepositi

tences, decreets, gifts, exemptions, rights, titles, securities, letters, writs, evidents, grants, liberties, advantages, immunities, and privileges therein mentioned, made, granted, or confirmed by our said umquhile dearest father, and by his most illustrious predecessors, Kings and Queens of Scotland, or by their governors, regents, or Lords of Session for the time, to our foresaid burgh of Aberdeen, the provost, senior baillies, deans of guild, treasurers, councillors, burgesses and community thereof, and to the churches, ministers, and hospitals, and their successors, of whatsoever form or forms, content or contents, date or dates, respectively the same are; and especially, without prejudice of the generality aforesaid, the particular charters, infestments, confirmations, decreets, gifts, exemptions, acts, writs, evidents, and others specially and particularly mentioned in the said charter, the grants, gifts, privileges, liberties, and immunities respectively therein contained, with all and sundry other charters, infestments, grants, gifts, privileges, immunities, rights, acts of parliament, general conventions, sentences and decreets of Privy Council, given and granted by our said umquhile dearest father and by his most illustrious ancestors, or by any other person or persons, to and in favour of the provost, senior baillies, councillors and community of our said

seniorum Ballivorum consiliariorum et cōitatis dicti burgi nři de Aberdene pro tēpre suorumq, prediceſſorum et ſuccōrumq, quorumcunq, de erectione eiꝯd nři burgi in libero burgo regio cum oībus iuribus titulis et privilegiis ad eundē ſpectā et incumbē per leges et consuetudinem dī regni nři Scotie cumq, oībus lris tenementis forrestis ſylvis moris marresiis cōitatibus aquis salmonū piscationibus molendinis astrictis multuris castris pratis lacubus montibus viridariis munitoriis lie Blockhouſs anchoragiis customis lie bell customs aliisq, customis ponderibus lie tron wegthes mensuris et aliis proficuis casualitatibus et divoriis quibuscunq, que per prius ad dūm burgum nřum de Aberdene pertinuerunt et que illi eorumve prediceſſores vel authores quovis tēpre retroacto possidebant et vtebantur SED ETIAM dūus quond noster charissimus pater cum consensu predicti de novo dedit concessit erexit et disposuit prefatis Preposito Ballivis consiliariis burgeñ et cōitati dicti burgi nři de Aberdene suisq, successoribus imperpetuū TOTUM et integrum dūm burgum de Aberdene cum precinctu muris fossis lie fousies portubus viis plateis passagiis oībusq, et singulis domibus edificiis hortis tenementis croftis acris et rudis lrarum infra lritorium dicti nři burgi Et similiter omnes et singulas terras cōmunes ad dūm burgum nřum

burgh of Aberdeen for the time being, and their predecessors and successors whatsoever, concerning the erection of our said burgh into a free royal burgh, with all rights, titles, and privileges thereto belonging and pertaining according to the laws and custom of our said kingdom of Scotland, and with all lands, tenements, forests, woods, moors, marshes, commonities, waters, salmon fishings, mills, astrict multures, castles, meadows, lochs, hills, links, blockhouses, anchorages, bell customs and other customs, tronweights, measures, and other profits, casualties and duties whatsoever, which formerly pertained to our said burgh of Aberdeen, and which they or their predecessors or authors possessed and used at any time past : BUT ALSO our said umquhile dearest father, with consent aforesaid, of new gave, granted, erected and disponed to the foresaid provost, baillies, councillors, burgesses and community of our said burgh of Aberdeen and their successors for ever, ALL and whole the said burgh of Aberdeen, with the precinct, walls, fousies, havens, ways, streets, passages, and all and sundry houses, buildings, yards, tenements, crofts, acres and roods of land, within the territory of our said burgh ; and likewise all and sundry common lands belonging and pertaining to our said burgh, with all moors, marshes, meadows, parts, pendicles and

spectaſi et pertineſi cum oībus moris marreſiis pratis partibus pendiculis et pertineſi ab antiquo forreſtum de Stoket nuncupaſ cumq; ſylva eiua infra limites merchias et bondas hūmōi prout eodem per dicſ Prepoſitum Ballivos conſules et cōitatem tunc occupabantur et poſſidebantur et ānuatim equitari et perambulari vtebantur TOTAS et integras terras de Rubbiſlaw TOTAS et integras ſras de Cruiffes cum toftis croftis dōmibus edificiis partibus pendiculis et pertineſi earund TOTAS et integras aquas de Die et Done et ſalmonū piſcarias earund infra et per integras bondas partes et limites hūmōi prout eodem tunc per dñum Prepoſitum Ballivos conſules et cōitatem eorumq; tenentes et ſervos occupabantur et poſſidebantur Et nominatim ſalmonū piſcarias ſuper dñis aquis de Die et Done ſpēaliter et particulari in dñta carta mentionaſ et expreſſ infra bondas merchias et limites et poſſeſſ modo in eadem carta ſpecificaſ vna cum oībus et ſingulis caſis lie Scheills et Inſches infra et ſupra dicſ aquas de Die et Done Ac cum privilegio et libertate edificandi caſas lie Scheills trahendi ſpargendi et arefaciendi retas ex vtriſq; lateribus dicſ aquarum reſtiue ſicuti dñus burgus noſter Prepoſitus Ballivi conſules et cōitas eiua ſuiq; prediceſſores poſſeſſores et occupatores dicſ piſcationum perpriuſ in vſu et poſſeſſione fuerunt

pertinents of old called the Forest of Stocket, and with the wood thereof, within the limits, marches and bounds thereof, as the same were then occupied and possessed, and in use to be ridden and walked by the said provost, baillies, councillors and community; ALL and whole the lands of Rubislaw; ALL and whole the lands of Cruives, with the tofts, crofts, houses, buildings, parts, pendicles and pertinents thereof; ALL and whole the waters of Dee and Don, and the salmon fishings thereof, within and through the whole bounds, parts and limits thereof, as the same were then occupied and possessed by the said provost, baillies, councillors and community, and their tenants and servants; and the salmon fishings on the said waters of Dee and Don, specially and particularly mentioned and set forth by name in the said charter, within the bounds, marches and limits, and possessed in the manner specified in the same charter, together with all and sundry sheills and inches within and upon the said waters of Dee and Don; and with privilege and liberty to build sheills, to draw, spread, and dry nets on both sides of the said waters respectively, as our said burgh, the provost, baillies, councillors and community thereof, and their predecessors, possessors and occupiers of the said fishings, were formerly in use and possession; as also with

Necnon cum privilegio et libertate tenendi et habendi cymbas lie ferrie boatts vnam vel plures super dtas aquas de Die et Done et in quibuscunq locis et partibus earund pro transportation nřorum leigiorum et subditorum bonorumq et bestiarum vbi dti Prepositus Ballivi et consules antedti nostri burgi designabunt et ipsis visum fuerit cum oibus divoriis feodis et commoditatibus dtis cymbis spectań incumbentibus OIA et singula cōia molendina dti burgi viř Duo molendina infra dtum burgum nřum superiora et inferiora molendina nuncupař alia duo molendina extra dtum burgū nřum lie Justice Mylnes nuncupař et duo alia molendina jaceń infra libertatem dti burgi nři vnum eorund novum molendinum nuncupař super Buksburne et aliud novum molendinū nuncupař super torrentem lie Denburne et ventimolam apud Gallowgaitheid dicti nři burgi cum multuris et sequelis dicř molendinorum oium granorum super oibus et singulis croftis acris et Ƴris cōitatis dti burgi nři et infra libertatem et Ƴritorium eiusđ cresceń et oium granorum ad burgenses et inhabitatores dicř burgi nři spectań et pertineń focum et aquam infra eund patień TOTUM et integrum montem castri lie Castel hill viridariū lie Greine pratum et subvrbem vocař Futtie cum capella ejusđ oibusq cymbis et piscationibus alborum piscium eisđ spectań cumq navium statione

privilege and liberty to hold and have ferry boats, one or more, on the said waters of Dee and Don, and in any places and parts thereof whatsoever, for carrying our lieges and subjects, and goods and beasts, where the said provost, baillies and councillors of our aforesaid burgh shall appoint and see fit, with all duties, fees and advantages belonging and pertaining to the said ferry boats; ALL and sundry common mills of the said burgh, namely: two mills within our said burgh called the Upper and Nether Mills, two other mills outwith our said burgh called the Justice Mills, and two other mills lying within the freedom of our said burgh, one thereof called the New Mill on Buxburn, and the other called the New Mill on the Denburn, and the Windmill at the Gallowgatehead of our said burgh, with the multures and sequels of the said mills from all grain growing on all and sundry the crofts, acres and lands of the community of our said burgh, and within the freedom and territory thereof, and from all grain belonging and pertaining to the burgesses and inhabitants of our said burgh, tholing fire and water within the same; ALL and whole the Castlehill, Green Meadow, and suburb called Futtie, with the chapel thereof, and all boats and fishings of white fish

portu propugnaculo et littore dñi burgi aqueductibus et passagiis eiusd libertatibus et privilegiis hūmōi spēaliter in dta carta mentionat VNA CUM TOTIS et integris custumis lie bell-customes aliisq, custumis et toloniis pti nři burgi vsitať et consueť cum ponderibus lie tron-weť dñi burgi nři feodis et divoriis eisdem spectaň cumq, ōibus aliis ponderibus et mensuris libertatibus privilegiis et immunitatibus ad dtum burgum nřm spectaň ET SPECIALITER quasdam libertates privilegia et immunitates in dta carta mentionat Dñm burgum nřm et gubernationem ejusd concernē per quam cartam antedict etiam dantur conceduntur et disponuntur memoratis Preposito Ballivis consulibus et cōitati dict burgi nostri de Aberdene suisq, successoribus omnes et singuli annui redditus feudifirme annue divorie alteragia terre piscationes tenementa domus crofte et capellanie que ab antiquo ad capellanos S^d Nicolai ecclie parochialis Aberdoneň spectabant cum ōibus tenementis croftis mansionibus lie daill silver et āniversariis quibuscunq, que perprius ad quascunq, capellanas et alteragia in quacunq, ecclia capellania [capella? v. p. 178, l. 4] vel collegio infra libertatem dñi burgi nři de Abd pertinuerunt per quamcunq, personam vel patronum fundat vbicunq, eidem infra dtum regnū nřm Scotie

belonging thereto, and with the station for ships, haven, block-house, and shore of the said burgh, milldams and channels thereof, the liberties and privileges thereof specially mentioned in the said charter; TOGETHER WITH ALL and whole the bell customs and other customs and tolls of our said burgh, used and wont, with tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities belonging to our said burgh; AND ESPECIALLY certain liberties, privileges and immunities mentioned in the said charter, concerning our said burgh and the government thereof; By which charter aforesaid are also given, granted and disposed to the said provost, baillies, councillors and community of our said burgh of Aberdeen and their successors, all and sundry annual rents, feu-duties, annual duties, altarages, lands, fishings, tenements, houses, crofts, chaplainries, which from of old belonged to the chaplains of the Parish Church of Saint Nicholas of Aberdeen, with all tenements, crofts, dwelling-houses, daillsilver, and anniversaries whatsoever, which formerly pertained to any chaplainries and altarages whatsoever, in any church, chapel, or college whatsoever, within the freedom of our said burgh of Aberdeen, by whatsoever person or patron founded, wheresoever the same lie within our said

jacent aut quovis t̃pre preterito levare seu percipi solebant NECNON tota et integra mansio domus edificia horti et ecclia que perp̃ius ad Franciscanos d̃ti burgi ñri pertinuerunt ET SIMILITER cōmunis lacus eiusd̃ burgi per omnes bondas et partes hūmōi et montes vocat̃ Womanhill Playfeild St Katherineshill Heidingishill et Gallowhill cum campis et viridariis d̃ti burgi lie Linkes nūcupat̃ prout eidem jacent in longitudine et latitudine inter ostium fluvii lie Wattermouth d̃te aque de Die ad ostium fluvii lie Wattermouth dic̃t aque de Done cum teneñ tenañ libereq̃, teneñ servitiis omnium et singularum predic̃t terrarum et piscationū cum partibus pendiculis et pertineñ earund̃ vna etiam cum oībus et singulis aliis libertatibus immunitatibus iuribus et privilegiis quibuscunq̃ d̃to burgo ñro spectat̃ et incumbēñ et quorum dic̃t Prepositus Ballivi Senatus et cōitas eiusd̃ burgi suive predicesores quovis t̃pre preterito in possessione fuerunt AC ETIAM cum tam amplissimis et magnis privilegiis et immunitatibus sicuti burgis ñris de Edinbur̃ Perth Dundie vel aliquibus aliis burgis regiis infra d̃tum regnū ñrum Scotie per d̃tum quond̃ charissimū ñrum patrem suosve antecessores quovis t̃pre preterito diem date antedic̃t carte precedēñ concedebantur Et Vnivit ānexavit et Incorporavit ad et cum d̃to burgo

kingdom of Scotland, or whensoever in time past they were wont to be uplifted or gathered ; AS ALSO all and whole the dwelling place, house, buildings, yards and church which formerly pertained to the Franciscans of our said burgh ; AND LIKEWISE the common loch of the same burgh by all the bounds and parts thereof, and the hills called Womanhill, Playfield, St. Katherine's Hill, Heading Hill, and Gallow Hill, with the fields and greens of the said burgh, called the Links, as the same lie in length and in breadth between the watermouth of the said water of Dee and the watermouth of the said water of Don ; with tenants, tenandries and services of free tenants of all and sundry the foresaid lands and fishings, with the parts, pendicles and pertinents thereof, and with all and sundry other liberties, immunities, rights and privileges whatsoever belonging and pertaining to our said burgh, and of which the said provost, baillies, council and community of the same burgh or their predecessors have been in possession at any time past ; AND ALSO with as full and great privileges and immunities as were granted to our burghs of Edinburgh, Perth, Dundee, or to any other royal burghs within our said kingdom of Scotland, by our said umquhile dearest father or his ancestors at any time past, preceding the day of the date of the aforesaid charter : And he united, annexed

nro de Aberdene libertatibus et privilegiis eiusd̄ oēs et singulas predict̄
 ̄ras acras croftas ̄ras communes molendina multuras piscaⁿes castrum
 lacum pratum montes viridarium propugnaculum lie Bulwark anchoragia
 tolonias custumas lie Bell customes pondera et mensuras lie trone-
 weghtes et measoures ānuos redditus mansiones domos hortos aliaq̄
 ḡnaliter et particularit̄ supra express^o cum privilegio dandi sasinam
 hūmōi apud Crucem foralem d̄ti burgi nri preposito vel alicui Ballivorum
 eiusdum Que sasina stabit et sufficiens fore ordinatur d̄tis Preposito
 Ballivis consulibus et cōitati dicti burgi nri pro toto et integro d̄to
 burgo oibusq̄ et singulis terris domibus edificiis aliisq̄ spēaliter et ḡna-
 liter inibi mentionaf modo et forma inibi express^o TENEND̄ per dic̄
 Prepositum Ballivos Senatum et Cōitatem d̄ti burgi nostri de Aberdene
 suosq̄ successores in feodo hereditate et libero burgagio imperpetuum
 prout d̄ta carta de data prescript̄ in se latius proportat Cum precepto
 sasine et sasine instrumento desuper sequen̄ et cum acto dissolutionis
 fact̄ in Parlamento tenē apud Edinburgh vigesimo octavo die mensis
 Junii anno Dñi millesimo sexcentesimo decimo septimo cui acto carta
 supra mentionaf relationem habet et desuper fundatur et conceditur

and incorporated to and with our said burgh of Aberdeen, the liberties and
 privileges thereof, all and sundry the foresaid lands, acres, crofts, common lands,
 mills, multures, fishings, castle, loch, meadow, hills, green, bulwark, anchorages,
 tolls, bell customs, tron weights and measures, annual rents, dwelling-places,
 houses, yards, and others, generally and particularly set forth above, with privilege
 to give sasine thereof at the market cross of our said burgh, to the provost or any
 one of the baillies thereof; which sasine shall stand, and is ordained to be suffi-
 cient, to the said provost, baillies, councillors and community of our said burgh,
 for all and whole the said burgh and all and sundry lands, houses, buildings
 and others, specially or generally therein mentioned, in manner and form
 therein set forth; To BE HELD by the said provost, baillies, council and
 community of our said burgh of Aberdeen, and their successors, in fee, heritage
 and free burgage for ever, as the said charter of date above written in itself
 at greater length purports: With the precept of sasine and instrument of
 sasine following thereon, and with the act of dissolution made in the parlia-
 ment held at Edinburgh on the twenty-eighth day of the month of June, in
 the year of our Lord one thousand six hundred and seventeen; to which act
 the charter above mentioned relates, and is thereupon founded and granted:

ET SIMILITER cum oībus et singulis aliis cartis infeofamentis preceptis sasine instrumentis confirmationibus actis sententiis decretis donationibus exemptionibus iuribus titulis securitatibus tris scriptis evidentiis concessionibus libertatibus commoditatibus immunitatibus et privilegiis inibi mentionatis factis concessis vel confirmatis per nobilissimos nōs predicesores quondā WILLIELMUM REGEM Scotie quondā ALEXANDRUM REGEM secundum quondam ALEXANDRUM REGEM tertium quondā ROBERTUM REGEM primum quondā DAVIDEM REGEM eius filium quondam ROBERTUM REGEM secundum quondā ROBERTUM REGEM tertium quondā JACOBUM REGEM primum quondam JACOBUM REGEM secundum quondā JACOBUM REGEM tertium quondā JACOBUM REGEM quartum quondam JACOBUM REGEM quintum quondam MARIAM REGINAM eius filiam et dñm quondā nñm charissimū patrem JACOBUM REGEM sextum optime memorie vel per eorum aliquos aut per aliquos alios eorum predicesores Reges et Reginas Scotie vel per eorum Regentes Gubernatores aut Dños sessionis pro tñre prefato burgo nño de Aberdene Preposito senioribus Ballivis Decanis gilde the^{ria} consulibus burgensibus et inhabitatoribus dñi burgi nñi ecclīisq, ministris et hospitibz lie hospitalls eiusd burgi suisq, successoribus cujuscunq, forme aut formarum contente aut contentarum date aut datarum eedem sunt de et super

AND LIKEWISE with all and sundry other charters, infeftments, precepts, instruments of sasine, confirmations, acts, sentences, decreets, gifts, exemptions, rights, titles, securities, letters, writs, evidents, grants, liberties, advantages, immunities and privileges therein mentioned, made, granted, or confirmed by our most noble predecessors, umquhile WILLIAM, KING of Scotland, umquhile KING ALEXANDER II., umquhile KING ALEXANDER III., umquhile KING ROBERT I., umquhile KING DAVID, his son, umquhile KING ROBERT II., umquhile KING ROBERT III., umquhile KING JAMES I., umquhile KING JAMES II., umquhile KING JAMES III., umquhile KING JAMES IV., umquhile KING JAMES V., umquhile QUEEN MARY, his daughter, and our said umquhile dearest father KING JAMES VI. of excellent memory, or by any of them, or by any others their predecessors, kings and queens of Scotland, or by their regents, governors, or lords of session for the time being ; to our foresaid burgh of Aberdeen, the provost, senior baillies, deans of guild, treasurers, counsellors, burgesses and inhabitants of our said burgh, and to the churches, ministers and hospitals of the same burgh, and their successors, of whatsoever form or forms, content or contents, date or dates,

erectione dñi burghi nři de Aberdene in libero burgo regio cum oībus iuribus titulis et privilegiis eidem per leges et praxsin dicti regni nři Scotie spectand et incumbend ac cum oībus domibus ȳris tenementis forrestis silvis moris marresiis communitatibus aquis salmonum piscationibus molendinis astrictis multuris castris pratis lacubus montibus viridariis propugnaculis anchoragiis minutis customis lie Bell customes aliisq customis ponderibus et mensuris lie weghtes and measoures proficuis casualitatibus et divoriis quibuscunq que per prius ad dtum burghum nřum pertinuerunt Et que per dict Prepositum Ballivos Senatum et Cōitatem suosve predicesores aut authores quovis tpre preterito possidebantur et vtebantur ET VOLUM⁹ et concedimus et pro nobis nřisq successoribus cum avisamento et consensu predict decernimus et ordinamus quod predict gñalitas minime dirogabit spēalitatem nec specialitas gñalitatem Et quod hec pñs nřa confirmatio et ratificatio premissorum est et omni tpre affuturo erit tanti valoris roboris efficacie et effectus in oībus respectibus dicto burgo nřo de Aberdene Preposito Ballivis Consulibus et Cōitati eiusdem suisq sucōribus ac si dicta carta cum sasine precepto et acto dissolutionis supramentionat omnesq et singule alie carte infeofamenta dispositiones concessionis confirmatnes jura tituli et

the same are ; of and regarding the erection of our said burgh of Aberdeen into a free royal burgh, with all rights, titles and privileges thereto belonging and pertaining by the laws and practice of our said kingdom of Scotland, and with all houses, lands, tenements, forests, woods, moors, marshes, commonities, waters, salmon fishings, mills, astrict multures, castles, meadows, lochs, hills, links, block-houses, anchorages, petty customs, bell customs, and other customs, weights and measures, profits, casualties and duties whatsoever, which formerly pertained to our said burgh, and which at any time past were possessed and used by the said provost, baillies, council and community, or their predecessors or authors. AND WE WILL, and grant, and for us and our successors, with advice and consent aforesaid, we decree and ordain that the foresaid generality shall in no way detract from the speciality, or the speciality from the generality ; and that this our present confirmation and ratification of the premises is, and in all time to come shall be, of as much force, strength, efficacy and effect in all respects to our said burgh of Aberdeen, the provost, baillies, councillors and community thereof, and their successors, as if the said charter, with the precept of sasine and the act of dissolution above mentioned, and all and sundry other charters, infest-

securitates decreta exemptiones tre scripta acta evidentie donationes libertates commoditates immunitates privilegia aliaq, particulariŕ et ġnalter inibi mentionaŕ ad longum de verbo in verbum in hac pñti carta nŕa insererentur (non obstaŕ ratione multitudinis numeri longitudinis et prolixitatis hūmōi eedem in hac pñti carta nŕa minime insere-
rentur) penes que nos pro nobis et successoribus nŕis dispensavimus ac per pñtis carte nostre tenorem dispensamus imperpetuū INSUPER (absq, lesione derogatione aut preiudicio antedicŕ prioribus cartis infeofamentis iuribus decretis actis titulis libertatibus privilegiis et aliis particulariŕ et ġnalter supra express et pro majori corroboracione earund accumulando iura iuribus) nos pro bono fideli et gratuito servitio nobis nobilissimisq, nŕis progenitoribus per Prepositum Ballivos Senatum et Cōitatem dicti nŕi burgi de Aberdene suosq, prediccessores prestito et impenso et vt in posterum in dicto servitio melius persistent DE NOVO dedimus concessimus ereximus disposuimus et hac pñti carta nŕa confirmavimus tenoreq, eiusdem cum avisamento et consensu predicŕ damus concedimus erigimus disponimus et hac pñti carta nŕa confirmamus dilectis et fidelibus nŕis servitoribus Preposito Ballivis Consulibus burgensibus et

ments, dispositions, grants, confirmations, rights, titles and securities, decreets, exemptions, letters, writs, acts, evidents, gifts, liberties, advantages, immunities, privileges, and others, particularly and generally mentioned therein, were inserted at length, word by word, in this our present charter (notwithstanding that by reason of the multitude, number, length, and prolixity thereof, the same have not been inserted in this our present charter), wherewith we, for us and our successors, have dispensed, and by the tenor of our present charter do dispense, for ever. MOREOVER (without hurt, disparagement or prejudice to the foresaid former charters, infeftments, rights, decreets, acts, titles, liberties, privileges, and others particularly and generally set forth above, and, in further corroboracion thereof, heaping rights upon rights), in return for the good, faithful and gratuitous service done and rendered to us and to our most noble ancestors by the provost, baillies, council and community of our said burgh of Aberdeen, and their predecessors, and in order that hereafter they may the better persist in the said service, we have OF NEW given, granted, erected, dispoŕed, and by this our present charter confirmed, and by the tenor thereof, with advice and consent aforesaid, do give, grant, erect, dispoŕe, and by this our present charter confirm, to our beloved and trusty servants the provost, baillies, councillors, burgesses, and

Cōitati dict burgi n̄ri de Aberdene suisq, succōribus TOTUM et integrum præd̄tum burgum n̄rum de Aberdene cum precinctu muris fossis portubus viis plateis passagiis oībusq, et singulis domibus edificiis hortis tenementis croftis acris et v̄ris infra v̄ritorium et libertatem eiusd̄ burgi n̄ri Et similiū omnes et singulas predict̄ terras communes ad d̄tum n̄rum burgum spectan̄ et pertineñ cum oībus moris marresiis pratis partibus pendiculis et pertineñ ab antiquo forrestam de Stokett vocaī cum sylva eiusd̄ infra limites merchias et bondas hūmōi prout eedem pro p̄nte possidentur et occupantur et ānuatim per dict̄ Prepositum Ballivos Senatum et coitatem equitari et perambulari solent Totas et integras predict̄ terras de Rubslaw Totas et integras predict̄ v̄ras de Cruiffes cum toftis croftis domibus edificiis partibus pendiculis et pertineñ earund̄ Totas et integras predict̄ aquas de Die et Done cum salmonum piscariis earund̄ infra et per integras bondas partes et limites hūmōi prout eidem pro p̄nti per dict̄ Prepositum Ballivos Senatum et Cōitatem suosq, tenentes et servitores possidentur et occupantur Et sp̄ēaliter præd̄tas salmonū piscarias supra dict̄ aqua de Die vocaī lie Raik Stellis Midchingill Pott et Fuirids ex v̄trisq, lateribus anted̄te

community of our said burgh of Aberdeen, and their successors, ALL and whole our foresaid burgh of Aberdeen, with the precinct, walls, fousies, havens, ways, streets, passages, and all and sundry houses, buildings, yards, tenements, crofts, acres and lands within the territory and freedom of our same burgh; and likewise all and sundry the foresaid common lands belonging and pertaining to our said burgh, with all moors, marshes, meadows, parts, pendicles and pertinents, from of old called the Forest of Stocket, with the wood of the same, within the limits, marches and bounds thereof, as the same are at present possessed and occupied, and in use to be yearly ridden and walked by the said provost, baillies, council and community; all and whole the foresaid lands of Rubislaw; all and whole the foresaid lands of Cruives, with the tofts, crofts, houses, buildings, parts, pendicles and pertinents thereof; all and whole the foresaid waters of Dee and Don, with the salmon-fishings of the same, within and through the whole bounds, parts and limits thereof, as the same are at present possessed and occupied by the said provost, baillies, council and community, and their tenants and servants; and especially the foresaid salmon-fishings on the said water of Dee, called the Raik, Stells, Midchingle, Pot and Foords, on both sides of the foresaid

aque et vt predict̃ piscarie distinguantur absq; aliis distincte cognoscantur sicuti etiam jacent et bondantur ab ostio fluvii lie Bar et Wattermouth dic̃ n̄ri burgi de Aberdene ad aquam lie Bridgewater apud pontem de Die olim ad Willielm^u Forbes de Barnes spectati et pertineñ. Nec non salmonū piscationem super aqua de Done vocat̃ King's Cavill anted̃te aque de Done tam supra q^m infra pontem eiusd̃ cum oībus et singulis salmonum piscariis de lie Cruiffes prout d̃ta piscaria et lie cruves rextiue bondantur et jacent ab ostio fluvii lie wattermouth d̃te aque de Done ad torrentem vocat̃ cruif burne cum oībus et singulis aliis salmonū piscariis aliisq; piscariis quibuscunq; supra dic̃t aquas de Die et Done et per omnes bondas et limites earund̃ rextiue supra express̃ ad d̃tum burgum n̄rum spectati et incumbē et vt illi suisq; predecessores easd̃ possidere solebant ac cum oībus aliis piscariis tam salmonū q^m alborum piscium in aqua salsa seu mari int̃ d̃ta ostia fluviorum lie mouthes de Die et Done et apud dic̃t ostia fluviorum antedict̃ aquarum ex vtrisq; lateribus earund̃. Ac etiam cum oībus et singulis casis et lie insches et scheils infra et super dic̃t aquis de Die et Done cumq; libertate ac privilegio edificandi casas lie scheills et scheillings et trahendi dispergendi et arefaciendi

water, and as the foresaid fishings are distinguished and distinctly known from each other, as the same lie and are bounded from the bar and watermouth of our said burgh of Aberdeen to the Bridge Water at the Bridge of Dee formerly belonging and pertaining to William Forbes of Barnes; as also the salmon-fishing on the Water of Don called the King's Cavill of the foresaid water of Don, both above and below the bridge thereof, with all and sundry the salmon-fishings of the Cruives, as the said fishing and the Cruives respectively are bounded and lie from the watermouth of the said water of Don to the stream called the Cruive Burn, with all and sundry other salmon-fishings and other fishings whatsoever on the said waters of Dee and Don, and through all the bounds and limits thereof respectively set forth above, belonging and pertaining to our said burgh, and as they and their predecessors were wont to possess the same, and with all other fishings, as well of salmon as of white fish, in the salt water or sea between the said mouths of Dee and Don, and at the said mouths of the foresaid waters, on both sides thereof; and also with all and sundry inches and sheils within and upon the said waters of Dee and Don, and with liberty and privilege to build sheils and sheillings, and to draw, spread and

retas ex vtrisque lateribus dictarum aquarum tam super viis nostris quam super aliis commodissimis locis et partibus prope dictas aquas sicuti dictus burghus noster suorum predecessores possessores et occupatores dictarum piscariarum easdem perprie possidebant et gaudebant Nec non cum libertate et privilegio habendi cymbas lie ferrie boates unam vel plures super dictis aquis de Dee et Done ad ostia fluviorum lie watter mouthes de Dee et Done ubi habent proprias piscarias pro transportatione liegiorum et subditorum nostrorum eorumque bonorum et bestiarum ut ipsis visum fuerit cum omnibus divoriis feodis et commoditatibus dictis cymbis lie ferrie boates spectandi et incumbendi Omnia et singula predicta communia molendina dicti burghi nostri de Aberdene videlicet predicta duo molendina infra eundem burghum vocantur superius et inferius molendina alia duo molendina extra dictum burghum nostrum vocantur lie Justice Mylnes et alia duo molendina jacent infra libertatem dicti burghi nostri unum eorum novum molendinum nuncupantur super torrentem lie Bucksburne et alterum novum molendinum nuncupantur super torrentem lie Denburne cum dicto ventimolo apud dictas lie Gallowgaitheid dicti burghi nostri Necnon tota et integra duo molendina maritima lie Schoir et sea mylnes noviter edificata et constructa per dictum Prepositum Ballivos Senatum et Communitatem antedicti burghi nostri

dry nets on both sides of the said waters, both upon our highways and upon other most convenient places and parts near to the said waters, as our said burgh and their predecessors, possessors and occupiers of the said fishings formerly possessed and enjoyed the same; as also with liberty and privilege to have ferry boats, one or more, on the said waters of Dee and Don, at the watermouths of Dee and Don where they have their own fishings, for carrying across our lieges and subjects and their goods and beasts, as they shall see fit, with all duties, fees and advantages belonging and pertaining to the said ferry boats; all and sundry the foresaid common mills of our said burgh of Aberdeen, to wit, the two foresaid mills within the same burgh called the Upper and Nether Mills, other two mills outwith our said burgh called the Justice Mills, and other two mills lying within the freedom of our said burgh, one of these called the New Mill on the Buxburn and the other called the New Mill on the Denburn, with the said windmill at the said Gallowgatehead of our said burgh, as also all and whole two shore or sea mills newly built and erected by the provost, bailies, council and community of our foresaid burgh, since the date of their last infeftment

post datam vltimi eorum infeofamenti supra scripti virtute pñtis carte nre ratificati et approbati cum privilegio et libertate illis edificandi plura molendina ad eorum arbitrium cumq, multuris et sequelis dicti molendinorum oium granorum super omnibus et singulis predtis croftis acris et terris communiis dicti burghi nri et infra tritorium et libertatem eiusd cresceñ oiumq, granorum ad burgenses et inhabitatores eiusdem burghi spectañ et pertineñ vel per illos aliquasve alias personas importaf seu important folum et aqua inibi patieñ Totum et integrum predtum castrum montem viridarium pratum et subvrbem vocaf Futtie cum capella eiusd oibusq, cymbis et albis piscationibus humoi spectañ cumq, dto propugnaculo portu et littore de Aberdene et lie mylne dames et passagiis eiusd Ac cum libertate et privilegio onerandi et exonerandi loading et lossing naves cymbas aliasq, vasa quecunq, in dtis aquis de Die et Done ex vtrisq, lateribus earund in quibuscunq, locis aut partibus et toties quoties visum fuerit prefatis Preposito Ballivis Consulibus et Coitati Et similiter levandi et recipiendi omnes minutas custumas anchoragia et lie schoir silver aliasq, divorias tam libere in oibus respectibus sicuti dtus burgus noster de Edinburgh sui, collectores apud portum et littus de Leith recipiunt et levant et tam libere sicuti eidem per

above written, ratified and approved by virtue of our present charter, with privilege and liberty to them to build more mills at their pleasure, and with the multures and sequels of the said mills from all grain growing on all and sundry the foresaid crofts, acres and common lands of our said burgh and within the territory and freedom thereof, and from all grain belonging and pertaining to burgesses and inhabitants of the same burgh, or imported or to be imported by them or by any other person, tholing fire and water therein; all and whole the foresaid Castlehill, Green Meadow, and suburb called Futtie, with the chapel thereof, and all boats and white fishings belonging thereto, and with the said blockhouse, haven and shore of Aberdeen and the mill dams and channels thereof; And with liberty and privilege to load and loose ships, boats and other vessels whatsoever in the said waters of Dee and Don, on both sides thereof, in any places or parts whatsoever, and as often as shall seem fit to the foresaid provost, baillies, councillors and community; and likewise to uplift and receive all petty customs, anchorages and shore silver, and other dues, as freely in all respects as our said burgh of Edinburgh and its collectors receive and uplift at the haven and shore of Leith,

aliquem alium liberum burgum regium apud quemcunq, portum seu littus infra dtum regnum nrum Scotie levantur et percipientur Et spēaliter cum p̄tate levandi et percipiendi t̄pre futuro summam trium solidorum vsualis mo^m dti regni nri Scotie ex qualibet tunna lie Tunne bonorum exportat et importat in quacunq, nave cymba vel aliqua vasa infra dtum portum et stationem de Aberdene pro reparatione edifa^one et sustenta^one antedti propugnaculi lie Bulwark applicand sicuti dicf Prepositus Ballivi Senatus et Coītas suiq, collectores eadem his multis annis retroactis fruebantur et possidebant Nec non totas et integras p̄dttas custumas vocat lie Bell customes dti burgi nri minutas custumas tolontas et alias custumas vsitat et consuef cum ponderibus lie Trone weghtes dti burgi nri feodis et divoriis iisdem spectat cumq, oībus aliis ponderibus et mensuris libertatibus privilegiis et imunitatibus ad dtum burgum nrum aliquat pertineñ et spectat Ac etiam cum p̄tate libera curias infra dtum burgum nrum tritorium et libertatem eiusd tenendi pro administra^one justicie et delinquentium et transgressorum punitione secundū qualitatem suorum dilictorum legibus et praxi dti regni nri Scotie conforme Et exitus amerciamenta et eschaetas dtarum curiarum

and as freely as the same are uplifted and gathered by any other free royal burgh at any haven or shore whatsoever within our said kingdom of Scotland; and especially with power to uplift and gather in all time coming the sum of three shillings usual money of our said kingdom of Scotland from every tun of goods exported or imported in any ship, boat or other vessel whatsoever within the said haven and station of Aberdeen, for the repair, building and upholding of the bulwark thereof, as the said provost, baillies, council and community and their collectors have enjoyed and possessed the same these many years past; as also all and whole the foresaid customs called the bell customs of our said burgh, the petty customs, tolls and other customs used and wont, with the tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities in any way pertaining and belonging to our said burgh; and also with free power to hold courts within our said burgh, the territory and freedom thereof, for the administration of justice and the punishment of delinquents and transgressors, according to the nature of their offences, conform to the laws and practice of our said kingdom of Scotland, and [to uplift] the issues, fines and escheats of the said courts with

cum bludewitis toties quoties contigerint tam infra dtum burgum nrum libertatem et tritorium eiusdem q^m infra portum et stationem et fluxum maris lie floodemark dti burgi et infra dicf aquas de Die et Done in partibus earundem Quarum predte piscarie virtute pntis carte nre disponantur Et dicf exitus eschaetos amerciamenta et bludewitas ad vtilitatem et commodum dti burgi nri applicandi Ac etiam cum speciali ptate privilegio et libertate dicf Preposito Ballivis Consulibus et burgeñ gilde dti burgi nri suisq, succoribus imperpetuū vtendi frequentandi et exercendi negotia^m mercaturam et cōmercium et emendi et vendendi in magnis et minutis vinum ceram lie wad pelles coria oiaq, alia genera mercimoniorum et bonorum tam dti regni nri Scotie q^m aliarum nationū quarumcunq, extranearum non solum infra dtum burgum nrm territorium et libertatē eiusd sed etiam intra per et pre [*sic*] integras bondas et limites vice^m nri de Aberdene tam intra Regalitem q^m regalem vel regium Nec non tenendi et habendi imperpetuū infra dtum burgum et libertatem eiusd gildriam mercatoriam cum gilde curiis consiliis membris et iurisdictionibus hūmōi incumbē Exitus et eschaetas dicf curiarum levandi et percipiendi similiter adeoq, libere in oibus respectibus et per oia sicuti in similibus

bloodwits as often as they shall occur, both within our said burgh, the freedom and territory thereof, and within the haven and station and floodmark of our said burgh, and within the said waters of Dee and Don, in the parts thereof where the fore-said fishings are disposed by virtue of our present charter, and to apply the said issues, escheats, fines and bloodwits to the utility and advantage of the said burgh; and also with special power, privilege and liberty to the said provost, baillies, councillors and burgesses of guild of our said burgh and their successors for ever, to use, resort to, and exercise business, traffic and commerce, and to buy and sell in great and small quantities, wine, wax, wad, skins, hides and all other kinds of merchandise and goods both of our said kingdom of Scotland and of any other foreign nation whatsoever, not only within our said burgh, the territory and freedom thereof, but also within and through the whole bounds and limits of our sheriffdom of Aberdeen, within both the regality and the royalty; as also to hold and have for ever within the said burgh and the freedom thereof a Merchant Guildry, with guild courts, councils, members and jurisdictions pertaining thereto, to uplift and gather the issues and escheats of the said courts, in like manner and as freely in all respects, and through all things, as in like cases is

per nos n̄rosve prediçessores alicui alio libero burgo regio infra dtum reġum n̄rm Scotie conceditur cumq, oib̄us et singulis aliis libertatibus et immunitatibus per leges hūmoi dic̄t negotia^mibus commerciis mercaturis gilde curiis et burse spectān̄ seu iuste spectare valeñ Et simili^t tenendi habendi vtendi exercendi et fruendi infra dtum burgum n̄rum hebdomadatim duo publica fora lie mercatis viz die Mercurii et die Saturni Secundum consuetudinem vsitatum et consuetum Cum quatuor liberis nundinis ānuatim inchoān̄ teneñ et continuān̄ in dic̄t burgo Quarum prima ad festum Pen^{tas} Secunda ad festum S^{an}c^{te} trinitatis Tertia ad festum sancti Michaelis ac quarta et vltima ad festum sancti Nicolai Quarum nundinarum singule durabunt per spatium octo dierum Ac etiam cum libertate et p̄tate edificandi et construendi plura molendina tam ventimola q^{ua}m granorum et fullonum molendina infra dtum burgum libertatem et t̄ritorium eiusd̄ Et locandi et assedandi hūmoi partes dic̄t t̄rarum suarum cōm̄ni d̄te forreste de Stoket que hactenus non assedantur et locantur ad vtilitatem et commodum d̄ti burgi n̄ri per assedationes longas vel infeofamenta feudifirme pro solu^{ti}one feudifirmarum precipiendo mandando et inhibendo oib̄us personis tam regalitati q^{ua}m regali (burgensibus gilde d̄ti burgi n̄ri de

granted by us or our predecessors to any other free royal burgh within our said kingdom of Scotland, and with all and sundry other liberties and immunities belonging, or that can justly belong by the laws thereof, to the said business, commerce, traffic, guild courts and merchant court ; and likewise to hold, have, use, exercise and enjoy within our said burgh every week two public markets, to wit, on Wednesday and on Saturday, according to the custom used and wont, with four free fairs yearly, to be begun, held and continued in the said burgh, whereof the first at the Feast of Pentecost, the second at the Feast of the Holy Trinity, the third at the Feast of St. Michael, and the fourth and last at the Feast of St. Nicolas, every one of which fairs shall last for the space of eight days ; and also with liberty and power to build and erect more mills, as well windmills as grain and fulling mills within the said burgh, the freedom and territory thereof ; and to let and set such parts of their said common lands of the said Forest of Stocket as are not already set and let, for the profit and advantage of our said burgh, by long tacks or infeftments of feufarm, for payment of the feu-duties, enjoining, commanding and forbidding all persons, both in regality and royalty (not being burgesses of guild of our said burgh of Aberdeen), that they do not make bold,

Aberdene m̃ie existiē) vt non presumant vsurpare nec exercere negotia^o nem commercium et mercaturam vel quodvis privilegium aut punctum eiusd̃ libero burgo regio incumbē infra libertatem et bondas d̃ti burgi et Vice^{us} ñri antedicti sub pena incarcerationis personarum suarum et forisfacture et eschaete bonorum et mercimoniorum suorum vbicunq; apprehendi poterint PRETEREA nos cū avisamento et consensu predict̃ dedimus et concessimus tenoreq; p̃tis carte ñre pro nobis ñrisq; successoribus Damus et concedimus plenam p̃tatem commissionem et auctatem ñram prefatis Preposito Ballivis et Consulibus d̃ti burgi ñri de Aberdene suisq; suc̃oribus faciendi et publicandi acta statuta et ordina^o nes pro cōi bono et proficuo eiusd̃ burgi et defensione privilegiorum in [*sic*] libertatum hũmoi per oēs burgenses et inhabitatores d̃ti burgi ñri omnesq; alias personas ad eundem reparā et frequenta^o observanda sub similibus penis ut ipsis visum fuerit Necnon causandi d̃ta acta statuta et ordina^o nes cum oībus parliamentorum actis actisq; g̃nialium conventionū et secreti consilii cumq; constitu^o nibus burgorum oībusq; suorum priorum actorum in favorem libertatum eorum da^o vel dan^o debite observari et prosequi et finali exequutione poni infra

within the freedom and bounds of the said burgh and our sheriffdom aforesaid, to usurp or exercise business, commerce and traffic, or any privilege or point thereof, pertaining to a free royal burgh, on pain of imprisonment of their persons, and of forfeiture and escheat of their goods and merchandise, wheresoever they can be seized. FURTHER, with advice and consent aforesaid, we have given and granted, and by the tenor of our present charter, for us and our successors, do give and grant, to the foresaid provost, baillies and councillors of our said burgh of Aberdeen, and their successors, our full power, commission and authority to make and publish acts, statutes and ordinances for the common good and profit of the said burgh, and in defence of the privileges and liberties thereof, to be observed by all burgesses and inhabitants of our said burgh, and by all other persons repairing to and frequenting the same, under like penalties as shall seem fit to them; as also to cause the said acts, statutes and ordinances, with all acts of parliaments, and acts of general conventions and of Privy Council, and with constitutions, of the burghs, and all [provisions] of their own proper acts made or to be made in favour of their liberties, to be duly observed and followed and put to final execution within the freedom and territory of our said burgh of Aberdeen and the sheriff-

libertatem et territoriū dñi burghi nři de Aberdene et Vice^m eiusd
 predicf Ac etiam cum spēali potestate dicf Preposito Ballivis et con-
 sulibus vocandi prosequendi arrestandi et incarcerandi personas delin-
 quentes et contravenientes predicf privilegia acta statuta decreta et
 sententias et cum eorum bonis intromittendi et ead bona eschaetandi
 Que bona et exitus ita eschaetand nos pro nobis nřisq, successoribus
 cum avisamento et consensu predicf Damus et concedim⁹ ad com-
 munem vsum dñi burghi nři de Aberdene et ad suppedita^onem rerum
 cōium et operum eiusd cum oībus exitibus et amerciamentis curiarum
 quibus dñi delinquentes forsitan incidere contigerint et incurrere Et
 SIMILITER nos cum avisamento et consensu antedto dedimus concessi-
 mus et disposuimus tenoreq, pñtis carte nře damus concedimus et dis-
 ponimus prefatis Preposito Ballivis Consulibus et Cōitati dñi burghi nři
 de Aberdene suisq, succōribus omnes et singulas tñas domos tenementa
 hortos tenementa templaria cum omnibus pertineñ earund iaceñ infra
 precinctum dñi burghi nři de Abd que perprius ad quascunq, abbacias
 prioratus preceptorias ministeria capellanas prebendarias alteragia
 aliaq, beneficia pertinuerunt vna cum integris feudifirmis aliisq, divoriis
 huñol omni tñpre affuturo cum dicto burgo nřo tanq^m partem eiusd

dom thereof aforesaid; and also with special power to the said provost, baillies
 and councillors, to summon, prosecute, arrest and imprison persons transgress-
 ing and contravening the foresaid privileges, acts, statutes, decreets and sentences,
 and to intromit with their goods, and to escheat the said goods, which goods
 and issues so to be escheated we, for ourselves and our successors, with advice
 and consent aforesaid, do give and grant to the common use of our said burgh of
 Aberdeen, and for the support of the common affairs and works thereof, with all
 issues and fines of the courts which the said transgressors shall happen to fall
 into or incur. AND LIKEWISE, with advice and consent aforesaid, we have
 given, granted and disponed, and by the tenor of our present charter do give,
 grant and dispone, to the foresaid provost, baillies, councillors and community
 of our said burgh of Aberdeen, and their successors, all and sundry lands, houses,
 tenements, yards, templar tenements, with all the pertinents thereof, lying within
 the precinct of our said burgh of Aberdeen, which formerly pertained to any
 abbeyes, priories, preceptories, monasteries, chaplainries, prebends, altarages and
 other benefices whatsoever, together with the whole feu-duties and other duties
 thereof in all time coming, to remain with and pertain to our said burgh as a part

remanē et pertineē cum p̄tate dic̄ Preposito Ballivis et Consulibus suisq, successoribus tanq^m Ballivis n̄ris in hac parte intrandi et recipiendi hēfios vassallos et tenentes earund̄ super resigna^onem vel per servitium et retornatum aut per traditionem fixule et tenelle lie hespe et staple similiter eodemq, modo sicuti illi aliiq, n̄ri regales burgi d̄ti regni n̄ri Scotie inhabitatores hēfios pro^{rios} et possessores quarumcunq, terrarum et tenementorum infra territorium et precinctum hūmōi intrare et recipere solent NECNON dedimus et concessimus ac disposuimus tenoreq, p̄ntis carte n̄re cum avisamento et consensu predic̄ damus concedimus et disponimus prefatis Preposito Ballivis Consulibus et Cōitati suisq, suc̄coribns oēs annuos redditus feudifirme firmas et ānuas divorias de predic̄ domibus hortis tenemētis templariis aliisq, tenementis predic̄ debīt et solvi soleēt et consueēt cum p̄tate illis intro-mittendi et desuper disponendi de oībus annis et t̄minis futuris et easd̄ ad commune bonū d̄ti burgi n̄ri applicandi AC ETIAM dedimus concessimus et disposuimus tenoreq, p̄ntis carte n̄re cum avisamento et consensu pred̄to damus concedimus et disponimus prefatis Preposito Ballivis Consulibus et cōitati suisq, successoribus omnes et singulas capellanas alteragia et ānuos redditus perprius ad dic̄ capellanas

thereof; with power to the said provost, baillies and councillors, and their successors, as our baillies in this part, to enter and receive the heritable vassals and tenants thereof, on resignation, or by service and retour, or by delivery of hasp and staple, in like manner as they and our other royal burghs of our said kingdom of Scotland are wont to enter and receive the inhabitants, heritable proprietors and possessors of any lands and tenements whatsoever within the territory and precinct thereof. AND ALSO we have given and granted and disposed, and by the tenor of our present charter, with advice and consent aforesaid, do give, grant and dispose, to the foresaid provost, baillies, councillors and community, and their successors, all annual rents, feu-duties and annual duties due and used and wont to be paid from the foresaid houses, yards, templar tenements, and other tenements aforesaid; with power to them to intromit therewith and dispose thereupon, for all years and terms to come, and to apply the same to the common good of our said burgh. AND ALSO we have given, granted and disposed, and by the tenor of our present charter, with advice and consent aforesaid, do give, grant and dispose, to the foresaid provost, baillies, councillors and community, and their successors, all and sundry chaplainries, altarages and annual

[? capellanos, v. p. 162, l. 14] sancti Nicolai antedicti ecclesie parochialis Abredonensis pertineñ et spectañ cumq; oib; anniversariis et lie daill silver quibuscunq; que perprius ad quascunq; capellanas prebendarias et alteragia pertinuerunt in quacunq; ecclesia capella vel collegio infra libertatem dicti burghi nri de Abd per quascunq; personam vel personas fundat vbicunq; jacent infra dictum regnum nrum vel quocunq; tpe preterito levati seu percipi solebant cumq; tota et integra predicta mansione loco domibus edificiis hortis et ecclesia que perprius ad Franciscanos dicti burghi nri pertinuerunt cum oib; divoriis et redditibus humoi et ad premissa pertineñ de omnibus annis et terminis futuris Ac cum dicto lacu coi antedicti burghi nri infra et per omnes bondas et partes eiusd; predictisq; montibus lie Womanhill Playfeild St. Katherines hill Heidinghill et Gallowhill nuncupañ cum viridariis et campis lie Linkis dicti burghi nri prout jacent in longitudine et latitudine inter ostium fluvii lie Wattermouth de Die ad ostium fluvii lie Wattermouth de Don cum teneñ tenañ libereque teneñ servitiis oium et singularum predictarum et piscariarum cum partibus pendiculis et pertineñ earund; cumq; oib; et singulis aliis libertatibus immunitatibus iuribus et privilegiis quibuscunq; ad dictum burgum spectañ et incumbenñ et quorum dicti

rents formerly pertaining and belonging to the said chaplains of our foresaid parish church of Saint Nicolas in Aberdeen, and with all anniversaries and daill silver whatsoever, which formerly pertained to any chaplainries, prebends and altarages whatsoever, in any church, chapel or college whatsoever, within the freedom of our said burgh of Aberdeen, by whatsoever person or persons founded, wheresoever they lie within our said kingdom, or whensoever in time past they were wont to be uplifted or gathered; and with all and whole the foresaid dwelling, place, houses, buildings, yards and church which formerly pertained to the Franciscans of our said burgh, with all duties and rents thereof, and pertaining to the premises, for all years and terms to come; and with the said common loch of our foresaid burgh, within and through all bounds and parts thereof, and the foresaid hills called Woman Hill, Playfield, St. Katherine's Hill, Heading Hill, and Gallow Hill, with the greens and links of our said burgh, as they lie in length and breadth between the watermouth of Dee and the watermouth of Don, with tenants, tenandries and services of free tenants of all and sundry the foresaid lands and fishings, with parts, pendicles and pertinents thereof, and with all and sundry other liberties, immunities, rights and privileges whatsoever, belonging and pertaining to the

Prepositus Ballivi Senatus et Communitas eiusd suiq, predicesores quovis tpre preterito in usu et possessione fuerunt cumq, etiam tam amplissimis et magnis privilegiis ac immunitatibus quam per nos nrosq, predicesores dtis burgis nostris de Edinburgh Perth Dundie aliisq, burgis regiis infra dtum regnum nostrum Scotie quovis tpre preterito diem date pntis carte nre preceden dantur conceduntur et disponuntur Cumq, omni iure titulo interesse iurisclemeo proprietate et possessione quacunq, que seu quas nos predicesores vel successores nostri in et ad dtum burgum nrum de Aberdene terras acras croftas terras communes molendina multuras piscationes castrum lacum pratum montes viridaria propugnacula anchoragia tolonias custumas lie bell customes pondera lie trone wegthes mensuras annuos redditus mansionem locum domos hortos et ecclias que olim ad dicf Franciscanos pertinuerunt aliaq, particulariter et gñaliter supra recita vel ad aliquam partem pendiculum aut portionem earundem census firmas casualitates proficua et divorias huñoi de quibuscunq, annis seu tminis preteritis aut futuris pro quibuscunq, factis causis seu occasionibus preteritis diem date pntis carte nre preceden habuimus habemus aut quovis modo in futurum habere clamare aut pndere poterimus aut poterint Renunciando quiete

said burgh, and of which the said provost, baillies, council and community thereof, and their predecessors, were in use and possession at any time past; and also with as full and great privileges and immunities as are given, granted and disposed by us and our predecessors, at any time past preceding the date of our present charter, to our said royal burghs of Edinburgh, Perth, Dundee, and other royal burghs within our said kingdom of Scotland; and with all right, title, interest, claim of right, property and possession whatsoever, which we, our predecessors or successors, had, have, or in any way in time to come may have, claim, or assert, in and to our said burgh of Aberdeen, the lands, acres, crofts, common lands, mills, multures, fishings, castle, loch, meadow, hills, links, blockhouses, anchorages, tolls, bell customs, tron weights, measures, annual rents, dwelling, place, houses, yards and churches which of old pertained to the said Franciscans, and others particularly and generally above recited, or to any part, pendicle or portion thereof, maills, rents, casualties, profits and duties thereof, of any years or terms whatsoever past or to come, for any past deeds, causes or occasions whatsoever preceding the date of our present charter: renouncing, relinquishing, and altogether upgiving the same, with all action,

clamando et simplici⁷ extra donando eadem cum omni actione instantia et exequutione nobis et successoribus nris eocirca competē vel competere valeñ Memoratis Preposito Ballivis Consulibus et Cōitati dicti burghi nri de Aberdene suisq, successoribus pro nunc et imperpetuum cum pacto de non petendo ac cum supplemento ōium defectuum obiectionum et imperfectionum quarumcunq, tam non nōiatarum q^{ua} nōiatarum preteritorum pñtium et futurorum quos tanquam pro express⁹ in hac pñti carta nostra haberi volumus penes que nos pro nobis nrisq, successoribus dispensavimus ac per pñtis carte nre tenorem dispensavimus [*sic*] imperpetuum PRETEREA ratificavimus approbavimus et hac pñti carta nra confirmavim⁹ Tenoreq, eiusdem ratificamus approbamus ac pro nobis nrisq, succōribus pro perpetuo confirmamus ACTUM et statutum dicti burghi nri per dtos Prepositum Ballivos Senatū et Cōitatem eiusdem faci vnde statuitur et ordinatur quod nullum mollitum polentum ad forum dicti nri burghi feretur pñtabitur nec venabitur in eodem privatē vel publice quodquidem actum et statutum est de data vndecimo die mensis Januarii Anno Dñi millesimo sexcentesimo vigesimo octavo Et nos perfecte intelligentes quod dtum actum et statutum non solum concordat cum actis et statutis omnium burgorum regiorum dicti

instance and execution competent or that can be competent thereanent to us or our successors, in favour of the foresaid provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, now and forever; with the paction of not requiring, and with the supplement of all defects, objections and imperfections whatsoever, both not named and named, past, present and to come, which we will to be held as set forth in this our present charter, wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter do dispense, forever. FURTHER, we have ratified, approved, and by this our present charter have confirmed, and by the tenor thereof do ratify, approve, and, for us and our successors, for ever confirm, an ACT and statute of our said burgh, made by the said provost, baillies, council and community thereof, whereby it is statute and ordained that no ground malt shall be brought or presented to the market of our said burgh, or sold therein, privately or publicly; which act and statute is dated the eleventh day of the month of January in the year of our Lord one thousand six hundred and twenty-eight; and we, perfectly understanding that the said act and statute not only accords with the

regni nři Sed etiam aptum et necessarium est pro bono et commodo dicti burgi nři Igitur volumus et ordinamus quod nullum mollium polentum importabitur nec venabitur infra eundem burgum private vel publice per quascunq; personam vel personas infra libertatem dicti burgi vel extra incolañ sub pena confiscationis cujuscunq; mollii polenti quod importabitur per quascunq; personam vel personas contra tenorem antedicti acti statuti et ordinationis nře predicti infra predictum burgum cum potestate dictis Preposito et ballivis confiscandi dictum polentum et huñoi ad eorum vsum applicandi ET NOS CONSIDERANTES quod dictus quondam noster charissimus pater beate memorie per eius infeofamentum supraspecificat ratificavit et disposuit dicto burgo nřo de Aberdene omnes alias libertates iura et privilegia tam amplas et amplissime quam dictis burgis nřis de Edinbur et Perth qui sunt Vicecomites coronatores et pacis Iusticiarii intra se et quod magna est necessitas vt dicti burgus noster de Aberdene habeat possideat et fruatur dictis privilegiis et hoc specialiter pro causis et respectibus subsequen viũ quod dictus burgus noster de Aberdene in Burgum et civitatem copiosam et populosam crevit et devenit in quo magna et quotidiana est mercatura et mercium mutatio

acts and statutes of all the royal burghs of our said kingdom, but is also fit and necessary for the good and advantage of our said burgh, do THEREFORE will and ordain that no ground malt shall be imported or sold within the said burgh, privately or publicly, by any person or persons whatsoever dwelling within or outwith the freedom of the said burgh, under pain of confiscation of any ground malt whatsoever that shall be imported within our said burgh by any person or persons whatsoever against the tenor of the foresaid act, statute, and our ordinance aforesaid ; with power to the said provost and baillies to confiscate the said malt and to apply the same to their own use. AND CONSIDERING that our said umquhile dearest father, of blessed memory, by his infeftment above specified, ratified and dispoñed to our said burgh of Aberdeen all other liberties, rights and privileges as full and as fully as to our said burghs of Edinburgh and Perth, which are sheriffs, coroners and justices of the peace within themselves ; and that there is great necessity that our said burgh of Aberdeen should have, possess and enjoy the said privileges, and this especially for the causes and reasons following, to wit, because our said burgh of Aberdeen has grown and become a rich and populous burgh and city, wherein is great and daily traffic and exchange of wares,

aliquem alium liberum burgum regium apud quemcunq, portum seu littus infra dtum regnum nrum Scotie levantur et percipientur Et spcialiter cum ptate levandi et percipiendi tpre futuro summam trium solidorum vsualis mo^m dti regni nri Scotie ex qualibet tunna lie Tunne bonorum exportat et importat in quacunq, nave cymba vel aliqua vasa infra dtum portum et stationem de Aberdene pro reparatione edifa^{ne} et sustenta^{ne} antedti propugnaculi lie Bulwark applicand sicuti dict Prepositus Ballivi Senatus et Coitas suiq, collectores eadem his multis annis retroactis fruebantur et possidebant Nec non totas et integras predtas custumas vocat lie Bell customes dti burgi nri minutas custumas tolontias et alias custumas vsitat et consuet cum ponderibus lie Trone weghtes dti burgi nri feodis et divoriis iisdem spectan cumq, oibus aliis ponderibus et mensuris libertatibus privilegiis et imunitatibus ad dtum burgum nrum aliquant^o pertine^{nt} et spectan Ac etiam cum ptate libera curias infra dtum burgum nrum tritorium et libertatem eiusd tenendi pro administra^{ne} justicie et delinquentium et transgressorum punitione secundu qualitatem suorum dilictorum legibus et praxi dti regni nri Scotie conforme Et exitus amerciamenta et eschaetas dtarum curiarum

and as freely as the same are uplifted and gathered by any other free royal burgh at any haven or shore whatsoever within our said kingdom of Scotland; and especially with power to uplift and gather in all time coming the sum of three shillings usual money of our said kingdom of Scotland from every tun of goods exported or imported in any ship, boat or other vessel whatsoever within the said haven and station of Aberdeen, for the repair, building and upholding of the bulwark thereof, as the said provost, baillies, council and community and their collectors have enjoyed and possessed the same these many years past; as also all and whole the foresaid customs called the bell customs of our said burgh, the petty customs, tolls and other customs used and wont, with the tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities in any way pertaining and belonging to our said burgh; and also with free power to hold courts within our said burgh, the territory and freedom thereof, for the administration of justice and the punishment of delinquents and transgressors, according to the nature of their offences, conform to the laws and practice of our said kingdom of Scotland, and [to uplift] the issues, fines and escheats of the said courts with

cum bludewitis toties quoties contigerint tam infra dtum burgum nrum libertatem et tritorium eiusdem qm infra portum et stationem et fluxum maris lie floodemark dti burgi et infra dict aquas de Die et Done in partibus earundem Quarum predte piscarie virtute pntis carte nre disponantur Et dict exitus eschaetos amerciamenta et bludewitas ad vtilitatem et commodum dti burgi nri applicandi Ac etiam cum speciali ptate privilegio et libertate dict Preposito Ballivis Consulibus et burgeñ gilde dti burgi nri suisq, sucçoribus imperpetuū vtendi frequentandi et exercendi negotia nem mercaturam et cōmercium et emendi et vendendi in magnis et minutis vinum ceram lie wad pelles coria oiaq, alia genera mercimoniorum et bonorum tam dti regni nri Scotie qm aliarum nationū quarumcunq, extranearum non solum infra dtum burgum nrm territorium et libertatē eiusd sed etiam intra per et pre [sic] integras bondas et limites vice^{tas} nri de Aberdene tam intra Regalitatem qm regalem vel regium Nec non tenendi et habendi imperpetuū infra dtum burgum et libertatem eiusd gildriam mercatoriam cum gilde curiis consiliis membris et iurisdictionibus huñoi incumben Exitus et eschaetas dict curiarum levandi et percipiendi similiter adeoq, libere in oibus respectibus et per oia sicuti in similibus

bloodwits as often as they shall occur, both within our said burgh, the freedom and territory thereof, and within the haven and station and floodmark of our said burgh, and within the said waters of Dee and Don, in the parts thereof where the fore-said fishings are disposed by virtue of our present charter, and to apply the said issues, escheats, fines and bloodwits to the utility and advantage of the said burgh; and also with special power, privilege and liberty to the said provost, baillies, councillors and burgesses of guild of our said burgh and their successors for ever, to use, resort to, and exercise business, traffic and commerce, and to buy and sell in great and small quantities, wine, wax, wad, skins, hides and all other kinds of merchandise and goods both of our said kingdom of Scotland and of any other foreign nation whatsoever, not only within our said burgh, the territory and freedom thereof, but also within and through the whole bounds and limits of our sheriffdom of Aberdeen, within both the regality and the royalty; as also to hold and have for ever within the said burgh and the freedom thereof a Merchant Guildry, with guild courts, councils, members and jurisdictions pertaining thereto, to uplift and gather the issues and escheats of the said courts, in like manner and as freely in all respects, and through all things, as in like cases is

COMITEM et CORONATOREM principalem et Ballivos eiusdem burgi nři electos et eligendos ānuatim Vice^{us} et Coronatores deputatos conjunctim et divisim sub illo dtosq, Prepositum et Ballivos dti burgi nři ānuatim electos et eligendos conjunctim et divisim omni tpe affuturo pacis justiciarios infra dtum burgum Vras cōes eiusd aliaq, supra script eod spectā et incumbē imperpetuū cum plena et libera p̄tate illis eorumq, deputatis conjunctim et divisim curiam et curias tam criminales quam civiles toties quoties ipsis visum fuerit infra dtum burgum Vras cōes molendina piscarias moras vias plateas pas-sagia aliaq, supra expresse vel super aliq^m partem bondarum predict tam contra eorum vicinos burgeñ et inhabitatores dict bondarum q^m contra alias personas ad dtum burgum nřum de Aberdene et Vritorium eiusd resortañ et frequentañ qui pro quacunq, causa crimine aut offenso criminali vel civili per illos infra dict burgum nřum bondas et Vritorium eiusd vel quacunq, partem huñoi fact et commiss attachiabuntur affigendi affirmandi inchoandi et tenendi et quoties opus fuerit continuandi et p̄dictum officium Vice^{us} exercendi et vtendi pro quibuscunq, aliis actionibus causis offensis crimine seu criminibus contingē contra omnes personas capiend et attachiandas

chosen and to be chosen yearly, sheriffs and coroners depute, conjointly and severally under him ; and the said provost and baillies of our said burgh, chosen and to be chosen yearly, conjointly and severally in all time coming, justices of the peace within our said burgh, the common lands thereof and others above written belonging and pertaining thereto, for ever ; with full and free power to them and their deputies, conjointly and severally, to fix, sanction, begin and hold, and as often as need be continue, a court and courts, both criminal and civil, as often as shall seem fit to them, within the said burgh, common lands, mills, fishings, moors, ways, streets, passages, and others above set forth, or upon any part of the bounds aforesaid, both against their neighbour burgesses and the inhabitants of the said bounds and against other persons resorting to and frequenting our said burgh of Aberdeen and the territory thereof, who shall be attached for any cause, crime or offence whatsoever, criminal or civil, done and committed by them within our said burgh, the bounds and territory thereof, or any part thereof whatsoever ; and to exercise and use the foresaid office of sheriff for any other actions, causes, offences, crime or crimes whatsoever that may happen against all persons to be taken or attached within our said burgh of Aberdeen, the common

infra dtum burgum nrm de Abd tras cōes molendina piscarias stationem littus vias plateas passagia aliaq, particulari⁹ supra recitata ad eund spectāñ justitiam administrandi Sectas dict Vice^{us} curiarum vocandi conveniendi et convincendi absentes ameriandi transgressores delinquentes et offensores comburgensium et inhabitañ aliosq, transgressores et delictores ad mortem vel per exula⁹nem flagella⁹nem super manū et buccam combustionem aliamve penam in aliquo alio burgo regio vsitatam puniendi secundū qualitatem eorum delictorum et legibus dñi regni nostri concordāñ membra et administratores dñi vicecomitis curiarum necessaria faciendi creandi et constituendi ex burgensibus dñi burgi nri solūmodo et de nullis aliis extra dict burgum eligendis et imponendis et dtum officium Vice^{us} infra dict burgum nrm de Abd et bondas eiusd pēdas exercendi et vtendi similī adeoq, libere in oībus respectibus sicuti aliquis alius vicecomes infra aliquem alium burgum dñi regni nri idem officium Vice^{us} in suo burgo exercet ET SIMILITER cum pte dict Preposito et Ballivis dñi burgi nri de Abd suisq, successoribus Prepositis et ballivis eiusd pēda officia coronatoris et pacis Justiciarii infra eund burgum integrasq, terras possessiones aquas portum stationem aliasq, partes

lands, mills, fishings, station, shore, ways, streets, passages, and others particularly recited above, belonging thereto ; to administer justice ; to call, convene and convict the suits of the said sheriff courts ; to fine absentees ; to punish transgressors, delinquents and offenders of co-burgesses and inhabitants, and other transgressors and criminals, by death, or by banishment, flogging, branding on the hand and cheek, or any other punishment used in any other royal burgh, according to the nature of their crimes, and agreeably to the laws of our said kingdom ; to make, create and constitute the necessary members and administrators of the said sheriff courts from out of the burgesses of our said burgh only, and from no others to be chosen and appointed outwith the said burgh ; and to exercise and use the said office of sheriff within our said burgh of Aberdeen and the bounds thereof aforesaid, in like manner and as freely in all respects as any other sheriff within any other burgh of our said kingdom exercises the same office of sheriff within his own burgh : AND LIKEWISE with power to the said provost and baillies of our said burgh of Aberdeen, and their successors, provosts and baillies thereof, to use and exercise the foresaid offices of coroner and justice of the peace within the said burgh and whole lands, possessions, waters, haven, station, and other parts thereof above

eorund prescript et integras bondas libertates et territorium huiusmodi cum omnibus libertatibus privilegiis immunitatibus et commoditatibus eisd incumbeant utendi exercendi similiter adeoque libere sicuti aliqui alii coronatores et pacis Justiciarii talia officia Coronatoris et pacis Justicie in aliquo alio viceburgum vel jurisdictione infra dictum regnum nostrum utuntur et exercentur ET SIMILITER nos cum avisamento et consensu predicto pro causis suprascriptis proque diversis aliis magnis respectibus bonis causis et considerationibus nos moveri ex certa nostra scientia proprioque motu Dedimus et concessimus tenoreque presentis carte nostre damus et concedimus plenariam potestatem warrantum et libertatem prefatis Preposito ballivis et consulibus dicti burgi nostri de Abdernis suisque successoribus per semetipsos vel per eorum Decanum gilde aliasve personas quas annuatim nominabant et constituerint pondera et mensuras lie wegthes mettes and measoures subtilius specificat infra bondas antedicti burgi nostri totiusque viceburgi nostri de Aberdene ac infra omnia communia fora et nundinas tam burgo quam ruri infra bondas dicti burgi et viceburgi nostri de Abdernis visitandi inquirendi scrutandi et experiendi AC FECIMUS et constituimus tenoreque presentis carte nostre cum avisamento et consensu predicto facimus et constituimus prefatos Prepositum Ballivos et Senatum dicti burgi nostri suosque

written, and whole bounds, freedoms and territory thereof, with all liberties, privileges, immunities and advantages pertaining thereto, in like manner and as freely as any other coroners and justices of the peace use and exercise such offices of coroner and justice of the peace in any other sheriffdom, burgh or jurisdiction within our said kingdom. AND LIKEWISE, with advice and consent aforesaid, for the causes above written, and for divers other weighty reasons, good causes and considerations moving us, from our certain knowledge, and of our own accord, we have given and granted, and by the tenor of our present charter do give and grant, full power, warrant and liberty to the foresaid provost, baillies and councillors of our said burgh of Aberdeen, and their successors, by themselves or by their dean of guild, or other persons whom they shall yearly nominate and appoint, to visit, inspect, search and try the weights, mettes and measures under specified, within the bounds of our foresaid burgh and our whole sheriffdom of Aberdeen, and within all common fairs and markets, both burghal and landward, within the bounds of the said burgh. AND WE HAVE MADE and constituted, and by the tenor of our present charter, with advice and consent aforesaid, do make and constitute the foresaid provost, baillies and council of our said burgh,

succōres visitatores inquisitatores scrutatores et experitores ōium mensurarum aliarumq̃ predic̃ infra bondas d̃ti burgi et Vice^{tes} n̄ri de Abd dando concedendo et cōmittendo illis suisq̃ succōribus predic̃ plenariam p̄tatem et privilegium notandi et signandi ōia vasa mensuras et pondera magna et minuta subscrip̃t vulgariter to mark and stamp all firlothes peckes pund-weghtes stane-weghtes elvewandis quart pynt choppin and mutchekin stopes ōiaq̃ alia eff̄oi cū signo et sigillo ferreo vel eneo cum leone et corona impress^o secund̄ diversas mensuras lie standerts per actum parliamenti n̄ri prescrip̃t et constitũt et ōia feoda et divorias de et pro eis̄ debĩt et vsitãt percipiendi NECNON cum consensu pred̄to ratificavimus approbavimus et hac p̄nti carta n̄ra confirmavimus tenoreq̃ p̄ntis carte n̄re pro nobis n̄risq̃ succōribus ratificamus approbamus ac pro perpetuo confirmamus actum secreti concilii fact̄ Apud Ha^{lo} decimo quinto die mensis Julii anno D̄ni millesimo sexcentesimo decimo nono quocūq̃ acto D̄ni secreti concilii concluderunt et ordinarunt vnā constantem mensuram pro salmonibus per et pre vniversum regnū n̄rū Scotie solummodo fore et hoc secundum antiq̃m men-

and their successors, visitors, inspectors, searchers and triers of all measures and others aforesaid within the bounds of the said burgh and our sheriffdom of Aberdeen, giving, granting and committing to them and their successors aforesaid full power and privilege to mark and stamp all vessels, measures and weights, great and small, underwritten, commonly called firlots, pecks, pound weights, stone weights, ell wands, quart, pint, choppin and mutchkin stoups, and all others of that kind, with an iron or brass stamp and seal, with the lion and crown impressed thereon, according to the divers standards prescribed and appointed by act of our parliament; and to gather all fees and duties used and wont therefrom and therefor. AND ALSO, with consent aforesaid, we have ratified, approved, and by this our present charter confirmed, and by the tenor of our present charter, for us and our successors, do ratify, approve and for ever confirm, an act of the Privy Council made at Holyrood House on the 15th day of the month of July in the year of our Lord one thousand six hundred and nineteen,* whereby the Lords of the Privy Council concluded and ordained that there should be only one constant measure for salmon through and over our whole kingdom of Scotland, and that according to the ancient measure commonly called the old

* See the Act of Privy Council, *postea*.

suram vulgo lie auld gadge et Standert de Aūd decem gallones lie gallones contineñ cum qua mensura ðes liegii et subditi nři salmone eorum ði tpre futuro recipere et deliberare debent modo forma et sub penis in dto acto nři concilii contēñ prout dtum actum de data prescripti in se latius proportat IN OMNIBUS et singulis suis capitibus punctis clausulis articulis circumstantiis et conditionibus inibi contēñ secundū formam et tenorem eiusd in ðibus punctis AC VOLUMUS et concedimus ac pro nobis nřiſq sucçoribus pro perpetuo decernimus et ordinamus qd hec pñs ratificatio antedti acti concilii tanti erit valoris roboris efficacie et effectus ac si idem actum nři secreti concilii ad longum in hac pñti carta nři insereretur penes qm nos pro nobis nřiſq sucçoribus dispensavimus tenoreq pñtis carte nře dispensamus imperpetuū AC ETIAM cū consensu predto fecimus constituimus et ordinavimus tenoreq pñtis carte nře facimus constituimus et ordinamus prefatos Prepositum Ballivos et Senatum dti burghi nři de Aūd suosq sucçores imperpetuū custodes dte mesure lie Gage et Standert de Aberdene ad mensurand et gadgiand recipiend et deliberand salmonū infra dtum burgum nřum constitui et signatores et gadgiatores dict mensurarum doliorū et salmonū vasorum AC per pñtis carte nře tenorem damus et

gauge and standard of Aberdeen, containing ten gallons, with which measure all our lieges and subjects ought to receive and deliver their salmon in all time coming, in manner, in form and under the penalties contained in the said act of our council, as the said act of date aforesaid in itself at greater length purports, IN ALL and sundry its heads, points, clauses, articles, circumstances and conditions therein contained according to the form and tenor thereof in all points. AND WE WILL and grant, and for ourselves and our successors for ever, decree and ordain that this present ratification of the foresaid act of council shall be of as great force, strength, efficacy and effect as if the said act of our Privy Council were inserted at length in this our present charter; wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter do for ever dispense. AND ALSO, with consent aforesaid, we have made, constituted and ordained, and by the tenor of our present charter do make, constitute and ordain the foresaid provost, baillies and council of our said burgh of Aberdeen, and their successors for ever, keepers of the said measure, the gauge and standard of Aberdeen, appointed for measuring and gauging, receiving and delivering salmon within our said burgh, and stampers and gaugers of the said measures, barrels

disponimus prefatis Preposito Ballivis et Consulibus dñi burghi nři de Abđ suisq, sucđoribus oĩa feoda divorias et commoditates de et pro custodia antedte mesure lie gadge et standert et signa°ne dicđ mensurarum do-liorū et salmonū vasorum debič vsitač et consueč NECNON cum con-sensu predicđ pro nobis nřisq, sucđoribus damus et concedimus plenam pťtatem et privilegium dicđ Preposito et Ballivis dñi burghi nři suisq, sucđoribus oēs personas infra dtum burgum vteñ et gereñ arma illegitima et prohibita per leges regni nři et consuetudines burgorum geri vehi aut vti secund tenorem carte concess per dtum quond Regem Ro^{tum} Primū bur-geñ et Cōitati dñi burghi nři de Abđ pro ĩpre et clausule inibi specificač desuper confect capiendi apprehendendi incarcerandi et puniendi sicuti dicđ Prepositus et ballivi sui, predicesores idem perprius possidebantur et vtebantur ET QUIA eccĳie sancti Nicolai vetus et nova Ecĳĳia Fran-ciscanorum eccĳia collegiata vocač capella sancte Catharine capella sancti Niniani super montem castri capella Sⁱ Clementis Ecĳĳia de Futtie nun-cupač infra dtum burgum nřm de Aberdene libertatem et tñitoriū eiusđ

and salmon-vessels. AND by the tenor of our present charter we give and dispoñe to the foresaid provost, baillies and councillors of our said burgh of Aberdeen and their successors, all fees, duties and advantages, due, used and wont, of and for the keeping of the foresaid measure, the gauge and standard, and for the stamping of the said measures, barrells and salmon-vessels. AND ALSO, with consent aforesaid, for us and our successors, we give and grant to the said provost and baillies of our said burgh and their successors full power and privilege to take, apprehend, imprison and punish all persons within the said burgh using and carrying arms unlawfully and as prohibited by the laws of our kingdom and the usages of the burghs to be carried, borne or used, according to the tenor of a charter granted by the said umquhile King Robert the First to the burgesses and community of our said burgh of Aber-deen for the time being,* and of a clause therein specified, made thereanent; as the said provost and baillies and their predecessors formerly possessed and used the same. AND WHEREAS the old and new churches of Saint Nicolas, the church of the Franciscans called the College Church, Saint Catherine's Chapel, Saint Ninian's Chapel on the Castlehill, Saint Clement's Chapel called the Church of Futtie, lie within our said burgh of Aberdeen, the freedom and territory

* See Nos. X. and XI., pp. 15, 16.

jacent Ad quas ecclias et capellanas dicti Prepositus Ballivi Senatus et Cõitas eiusd burghi nri suiq, predecessores õibus t̃pribus retroactis quando vacare contigerint Ministros et capellanos eligere p̃tare nominare et providere solebant et illis persolvere stipendia (nulla alia stipendia nec victus habentes) Igitur proque causis suprascripti nos cum consensu p̃dicto ratificavimus approbavimus et hac p̃nti carta nra confirmavimus tenoreq, eiusd ratificamus approbamus ac pro nobis nrisq, sucõoribus pro perpetuo confirmamus antedicti vsum consuetudinem et possessionem que d̃ti Prepositus Ballivi Senatus et Cõitas dicti burghi nri de Ab̃d suiq, predecessores in eligendo ñiando p̃tando et providendo Ministros et capellanos antedicti ecclias et capellis et capellaniis earund quando vacare contigerint Et volumus concedimus proq, nobis nrisq, sucõoribus pro perpetuo decernimus et ordinamus qd d̃ti Prepositus Ballivi Senatus et Cõitas dicti burghi nri de Ab̃d suiq, sucõores omnibus t̃pribus affuturis antedictum privilegium vsum et consuetudinem observabunt et exercebunt et in futurum vt in t̃pribus retroactis in eorum iure et po'ne h̃mõi permanebunt atq, ministros capellanos aliasq, personas ad curam serviend apud dicti ecclias et capellas in futurum (vt in t̃pribus

thereof; to which churches and chaplainries the said provost, baillies, council and community of our said burgh and their successors in all times past have been in use whenever a vacancy occurred to choose, present, nominate and provide ministers and chaplains, and to pay them stipends (they having no other stipends or livings): THEREFORE, and for the causes above written, with consent aforesaid, we have ratified, approved, and by this our present charter confirmed, and by the tenor thereof do ratify, approve, and for us and our successors for ever confirm, the foresaid use, custom and possession, which the said provost, baillies, council and community of our said burgh of Aberdeen and their predecessors [had] in choosing, nominating, presenting and providing ministers and chaplains for the foresaid churches and chapels, and the chaplainries thereof, whenever a vacancy occurred. And we will grant, and, for us and our successors for ever, decree and ordain that the said provost, baillies, council and community of our said burgh of Aberdeen and their successors in all time coming shall observe and exercise the foresaid privilege, use and custom, and, in the future as in times past, shall remain in their right and possession thereof, and shall choose, present, nominate and provide ministers, chaplains, and other persons to serve the cure at the said churches and chapels in future (as in times past) without any hin-

preteritis) eligent p̄tabunt n̄iabunt et providebunt absq; vllō impedi-
mento molestia perturba^one vel contradic^one Et volumus et ordinamus
vt Ep̄us abredoneñ et ordinarius pro t̄pre recipeat et admittat ministros
et personas per dic̄ Prepositum ballivos et Senatum d̄ti burgi n̄ri suosq;
succōres eligendos n̄iandos et p̄ntandos in et ad eccl̄ias et capellas ser-
vitium earund̄ et functionem aptos et qualificados existeñ Et illis insti-
tutionem et collationem si opus fuerit in debita forma absq; obstaculo seu
impedimento quocunq; desuper dabit PRETEREA cum consensu p̄redito
ex certa n̄ra scientia proprioq; motu vnivimus annexavimus et incor-
poravimus tenoreq; p̄ntis carte n̄re pro nobis n̄risq; succōribus vnimus
annexamus creamus et incorporamus in ad et cum d̄to burgo n̄ro de Abd
terrisq; molendinis multuris piscariis anchoragiis portu statione aliisq;
libertatibus et privilegiis eiusd̄ predic̄ eid̄ burgo concess̄ Tota et in-
tegra p̄red̄ta officia vice^{is} Coronatoris et pacis Justiciare infra bondas et
limites predic̄ et iurisdictionem huñoi cum d̄tis eschaetis amerciamentis
exitibus et aliis libertatibus et privilegiis earundem predic̄ Necnon
d̄tum officium visitandi inquirendi scrutandi et experiendi mensuras et
pondera sup̄scrip̄t̄ intra bondas sup̄specificat̄ cum d̄to privilegio ob-
servandi dic̄ mesure lie gadge et Standart predic̄ salmonū doliorum et

drance, annoyance, trouble or challenge. And we will, and ordain, that the
bishop of Aberdeen and ordinary for the time being shall receive and admit
ministers and persons to be chosen, nominated and presented by the said provost,
baillies and council of our said burgh and their successors in and to the churches
and chapels, being fit and qualified for the service and function thereof; and if
need be he shall give them institution and collation thereupon in due form with-
out any obstacle or hindrance whatsoever. FURTHER, with consent aforesaid,
from our certain knowledge and of our own accord, we have united, annexed and
incorporated, and by the tenor of our present charter, for us and our successors,
do unite, annex, create and incorporate, in, to, and with our said burgh of Aber-
deen, and the lands, mills, multures, fishings, anchorages, haven, station and other
liberties and privileges thereof aforesaid, granted to the said burgh,—all and
whole the foresaid offices of sheriff, coroner and justice of the peace within the
bounds and limits aforesaid and jurisdiction thereof, with the said escheats, fines,
issues and other liberties and privileges thereof aforesaid; as also the said office of
visiting, inspecting, searching and trying the measures and weights above written,
within the bounds above specified, with the said privilege of observing the said

vasorum ac hufioi signandi et gadgeandi cum oibus feodis privilegiis commoditatibus et immunitatibus ad dictum officium spectant et incumben cumq; predicto privilegio eligendi nominandi pntandi et providendi dicti ministros et capellanos ad ecclesias et capellas predictas et quamlibet earund quotiescunq; in futurum vacare contigerint modo prescripti IN VNUM liberum burgum regium nunc et omni tempore futuro BURGUM de ABERDENE nuncupand. Ac volumus et concedimus proq; nobis et successoribus nostris decernimus et ordinamus qd dicti Prepositus Ballivi Decanus gilde The^{ius} Consules burgei et Cõitas dicti burgi nostri de Aberdene sui, successores omni tempore affuturo libere et pacifice possidebunt fruentur et gaudebunt eund burgum oesq; et singulas predictas terras acras croftas terras cões molendina multuras silvas piscarias aquas castrum pratum lacum montes viridaria propugnacula anchoragia tolontias et custumas lie Beli costumes pondera lie trone wegthes mensuras annuos redditus mansionem domos hortos vias plateas passagia aliaq; specialiter et generaliter supra mentionat cum oibus et singulis libertatibus privilegiis immunitatibus et commoditatibus iisdem spectant et incumben cumq; predictis officiis vice coronatoris et pacis Justiciarie infra bondas et limites pre-

measure, the gauge and standard of the foresaid salmon barrels and vessels, and of stamping and gauging the same, with all fees, privileges, advantages and immunities belonging and pertaining to the said office; and with the foresaid privilege of choosing, nominating, presenting and providing the said ministers and chaplains to the churches and chapels aforesaid and every one thereof, as often as a vacancy shall occur in future, in manner above written,—INTO ONE free royal burgh to be called now and in all time coming the BURGH of ABERDEEN. And we will, and grant, and, for us and our successors, decree and ordain that the said provost, baillies, dean of guild, treasurer, councillors, burgesses and community of our said burgh of Aberdeen, and their successors in all time coming, shall freely and peacefully possess, hold and enjoy the said burgh, and all and sundry foresaid lands, acres, crofts, common lands, mills, multures, woods, fishings, waters, castle, meadow, loch, hills, links, blockhouses, anchorages, tolls and customs, bell customs, weights, tron weights, measures, annual rents, dwelling-place, houses, yards, ways, streets, passages, and others, specially and generally above-mentioned, with all and sundry liberties, privileges, immunities and advantages belonging and pertaining thereto; and with the foresaid offices of sheriff, coroner and justice of the peace within the bounds and limits aforesaid and

script et jurisdictiones eorund ac cum dtis eschaetis exitibus amercia-
 mentis aliisq, libertatibus et privilegiis huioi supra script Necnon dtum
 officium visitandi inquirendi perscrutandi et experiendi mensuras et
 pondera supra specifica infra bondas predict atq, etiam dtum privilegium
 et libertatem custodiendi et observandi antedict mesure lie Gadge et
 Standert dict salmonu doliorum et vasorum et eiusd signandi et gad-
 geandi cum oibus feodis privilegiis commoditatibus et immunitatibus
 ad dtum officium spectan et pertine ac etiam predict privilegium et
 libertatem pntandi ntiandi eligendi et providendi ministros et capellanos
 ad predict ecclesias et capellas et ad quamlibet earum quoties in futurum
 vacare contigerint modo et forma supra script cum oibus suis pertine
 (que brevitatis causa in hac pnti carta nra non repetuntur) in feodo here-
 ditate et libero burgo regio imperpetuum ET VOLUMUS et concedimus
 ac pro nobis et successoribus nostris cum avisamento et consensu pre-
 dict pro perpetuo decernimus et ordinamus quod vnica sasina semel
 virtute pntis huius infeofamenti nostri danda Preposito et vni Ballivorum
 dicti burgi nri de Aberdene apud crucem foralem eiusdem Stabit et
 sufficiens erit sasina prefatis Preposito Ballivis Decano gilde Thesau-
 rario Senatui burgensibus et Communitati eiusdem burgi nostri suisq,

jurisdictions thereof; and with the said escheats, issues, fines and other liber-
 ties and privileges thereof above written; as also the said office of visiting,
 inspecting, searching and trying the measures and weights above specified within
 the bounds aforesaid, and also the said privilege and liberty of keeping and
 observing the foresaid measure, the gauge and standard, of the said salmon barrels
 and vessels, and of stamping and gauging the same, with all fees, privileges,
 advantages and immunities belonging and pertaining to the said office; and
 also the foresaid privilege and liberty of presenting, nominating, choosing and
 providing ministers and chaplains to the foresaid churches and chapels, and to every
 one of them, as often as a vacancy shall occur in future, in manner and form above
 written, with all their pertinents (which for brevity sake are not repeated in this our
 present charter) in fee, heritage and free royal burgh for ever. AND WE WILL, and
 grant, and for us and our successors, with advice and consent aforesaid, for
 ever decree and ordain, that a single sasine once given in virtue of this our pre-
 sent infeftment, to the provost and one of the baillies of our said burgh of Aber-
 deen, at the market cross thereof, shall stand and be a sufficient sasine to the fore-
 said provost, baillies, dean of guild, treasurer, council, burgesses and community

succōribus imperpetuum pro toto et integro antedicto burgo proq, ōibus et singulis preētis terris molendinis possessionibus aquis piscariis officiis annexis connexis incorporationibus aliisq, particulariter et ġnalter supra recitat̃ ab antiquo ad dtum burgum pertinē et virtute p̃tis carte ñre daī et concess̃ vtq, premittitur huīmoi burgo vnī et annexat̃ similiter adeoq, libere in omnibus respectibus ac si dictus burgus noster aliaq, supra-scripta insimul et contigue iacerent et non in diversis locis et partibus ac etiam si particulares sasine apud quamlibet partem aut locum earundem cum ōibus solemnitatibus requisitis capte fuerint et non obstaī huīmoi penes que nos pro nobis et successoribus nostris cum avisamento et consensu predicto dispensavimus ac per p̃tis carte ñre tenorem dispensamus imperpetuum Sic quod vnica sasina nunc capienda modo quo supra stabit et in se valida itima et sufficiens erit absq, aliqua alia sasina huīmoi vel de aliqua earundem parte in futurum capienda TENENDUM et HABENDUM totum et integrum predictum nostrum burgum de Aberdene cum omnibus et singulis antedictis terris domibus edificiis hortis tenementis portu propugnaculo littore croftis acris rudis terris communibus terras de Rubslaw et Cruiffes Salmonum piscarias super dictis

of our said burgh and their successors for ever, for all and whole the foresaid burgh, and for all and sundry the foresaid lands, mills, possessions, waters, fishings, offices, annexes, connexes,* incorporations, and others, particularly and generally recited above, from of old pertaining to the said burgh, and given and granted in virtue of our present charter, and united and annexed to the said burgh as above set forth; in like manner and as freely in all respects as if our said burgh and others above written lay together and contiguous, and not in divers places and parts, and also as if particular sasines had been taken upon every part and place thereof, with all requisite solemnities, and notwithstanding [the omission] thereof, wherewith we, for us and our successors, with advice and consent aforesaid, have dispensed, and by the tenor of our present charter do dispense for ever; so that a single sasine now to be taken in manner as above shall stand and be in itself valid, lawful and sufficient, without any other sasine to be taken thereof, or of any part of the same, in future. TO BE HELD AND HAD all and whole our foresaid burgh of Aberdeen, with all and sundry foresaid lands, houses, buildings, yards, tenements, haven, blockhouse, shore, crofts, acres, roods, common lands, the lands of Rubis-

* "*Annexes and connexes*, a legal phrase denoting everything in any way connected with the right or property referred to." Jamieson's *Dictionary*.

aquis de Die et Done molendinis multuris castro montibus pratis subvrbe vocat Futtie cum capellis cymbarum piscariis custumis lie Bell-customes toloniis minutis custumis ponderibus lie trone-weghtes mensuris lacubus viridariis anchoragiis ānuis redditibus mansionibus officiis vicecomitis Coronatoris et pacis Justiciarie eschaetis amerciamentis cum dicto officio visitandi inquirendi perscrutandi et experiendi dictas mensuras et pondera infra bondas supra specifica cum feodis et divoriis huñoi ac cum dicto officio custodiendi et observandi antedctam mensuram lie Standart et Gadge Salmonum doliorum et vasorum eiusdemq, sigādi et gadgeandi cum feodis et privilegiis huñoi ac cum potestate et privilegio eligendi nominandi et pñtandi ministros et capellanos dictis ecclesiis et capellis proq, aliis particulariter et generaliter suprascript cum omnibus libertatibus privilegiis et pertineñ Memoratis Preposito Ballivis Decano gilde Thesaurario senatui burgensibus et Communitati antedicti burgi nñi de Aberdene suisq, sucñoribus De nobis et successoribus nñis in libero burgo regio feodo hereditate libero burgagio libero Vicecomitis officio libero Coronatoris officio et libero pacis Justiciario infra bondas predict imperpetuum per omnes rectas metas suas antiquas et divisas prout iacent in longitudine et latitudine in domibus edificiis

law and Cruives, the salmon fishings on the said waters of Dee and Don, with mills, multures, castle, hills, meadows, the suburb called Futtie, with chapels, boat fishings, customs, bell customs, tolls, petty customs, weights, tron weights, measures, lochs, links, anchorages, annual rents, dwelling-houses, offices of sheriff, coroner and justice of the peace, escheats, fines, with the said office of visiting, inspecting, searching and trying the said measures and weights within the bounds above specified, with the fees and duties thereof, and with the said office of keeping and observing the foresaid measure, the standard and gauge, of salmon barrells and vessels, and of stamping and gauging the same, with the fees and privileges thereof, and with power and privilege to choose, nominate and present ministers and chaplains to the said churches and chapels, and for others, particularly and generally above written, with all liberties, privileges and pertinents: by the said provost, baillies, dean of guild, treasurer, council, burgesses and community of our foresaid burgh of Aberdeen and their successors; of us and our successors in a free royal burgh, fee, heritage, free burgage, free office of sheriff, free office of coroner, and free justice of the peace, within the bounds aforesaid, for ever; by all their right meiths, ancient and divided, as they lie in length and

boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis brueriis et genestis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis et earum exitibus amerciamentis herezeldis bludewitis et mulierum merchetis cum cōi pastura liberoꝝ introitu et exitu cumq; furca fossa * sok sak thoill theme vert wraik waith wair vennysoun in-fangtheiff outfangtheiff pitt et gallows ac cū ōibus aliis et singulis liber-

breadth, in houses, buildings, woods, plains, moors, marshes, ways, paths, waters, ponds, streams, meadows, pastures and pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal pits, rabbits, rabbit warrens, doves, dovecots, smithies, brew houses, heath and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts and their issues, herezelds, bloodwits and merchets of women, with common pasture, free ish and entry; and with right of pit and gallows, sok, sak, thol, them, greenwood,

* "*Furca et fossa*—the right of pit and gallows, the true mark of a true baron in the ancient time, who had *curia vita et membrorum*, jurisdiction in life and limb. It was not the peculiar taste of our barbarous ancestors: all feudal lords through feudal Europe were equally fond and proud of the right of executing those whom they had first convicted and sentenced to death. . . . The Gallowhill is still an object of interest, and, I fear, of some pride, near our old baronial mansions; and I know some where the surrounding ground is full of the remains of the poor wretches who died by the baron's law. Perhaps the *fossa*—the pit—was for the female thief; for women sentenced to death were, for the most part, drowned."

"*Sac* is the abbreviation of *sacu*, and means *placitum*—a plea or suit at law, and the jurisdiction or right of judging in litigious suits. *Soc* again strictly denotes the district included within such a jurisdiction."

"*Thol* has sometimes been supposed to mean exemption from toll or custom. . . . But in the common case I confess I prefer the interpretation which makes *Thol*—the definite, technical privilege—the right of exacting the duty rather than the right of refusing to pay it."

"*Them* is explained by Kemble as warranty, a word which has a very great variety of meanings in connexion with jurisdictions and forms of process of old. . . . Some bond of mutual warranty, such as was known in England under the name of *frank pledge* . . . to such a system this old word *Them* may apply."

"*Infangthef* is a short way of expressing the right to judge and punish a thief caught 'with the fang' within the grantee's jurisdiction. *Outfangthef*, which is much less common, gave the same power over a thief caught beyond the jurisdiction of the lord, he being followed and caught with the fang."

Cosmo Innes' *Scotch Legal Antiquities*, pp. 55-59.

tatibus commoditatibus proficuis asiamentis ac iustis suis pertineñ quibuscunq, tam non nominañ quam nominañ tam subtus terra q^m supra terram procul et prope ad predicñ terras burgum aliaq, reñtiue particulariter suprascriptñ cum vniversis et singulis suis privilegiis et pertineñ quibuscunq, predicñ spectañ seu iuste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua revocatione contradictione impedimento aut obstaculo quocunq, REDDENDO inde ānuatim dicti Prepositus Ballivi Decanus gilde Thesaurarius Senatus burgenses et Communitas dicti burgi nostri de Aberdene suiq, successores nobis et successoribus nñis nostrisq, Thesaurariis et computorum rotulatoribus nñis nominibus Summam ducentum et quatuordecim librarum sex solidorum et octo denariorum vsualis monete dicti regni nñi Scotie tanquam antiquam divoriam et censum augmentationemq, eiusdem pro censubus burgagiis dicti burgi nostri solvi solitam et consuetam et in scaccario nostro per auditores eiusdem ānuatim temporibus retroactis ad terminos solutionis vsitados et consuetos receptam et allocatam nomine census burgalis secundum tenorem dicti ultimi infeofamenti huiusmodi specialiter supra mentionati NECNON PRO dictis officiis Vicecomitis Coronatoris et pacis Justiciarie aliisq,

wreck, waif, seaware, venison, infangthef, outfangthef, and with all and sundry other liberties, advantages, profits, easements and their just pertinents whatsoever, both not named and named, both under the earth and above the earth, far and near, belonging, or which may in any way justly belong in time to come, to the foresaid lands, burgh, and others respectively, particularly above written, with all and sundry their privileges and pertinents whatsoever aforesaid, freely, quietly, fully, wholly, honourably and in peace, without any revocation, challenge, hindrance or obstacle whatsoever. PAYING therefor yearly the said provost, baillies, dean of guild, treasurer, council, burgesses and community of our said burgh of Aberdeen, and their successors, to us and our successors, and our treasurers and comptrollers in our names, the sum of two hundred and fourteen pounds six shillings and eight pence, usual money of our said kingdom of Scotland, as the ancient duty and maill and augmentation thereof, by way of burgh maills of our said burgh, used and wont in times past to be yearly paid, and received and allocated in our exchequer by auditors thereof at the terms of payment used and wont, in name of burgh maill, according to the tenor of the said last infeftment thereof, specially above mentioned. AS ALSO FOR the said offices of sheriff, coroner and justice of

iurisdictionibus supra specificatis debitam et iustam Justitie administrationem in iisdem officiis et iurisdictionibus omnibus temporibus futuris unacum servitio burgagio visitato et consueto tantum pro omni alio onere exactione que de predicto burgo aliisq, prescriptis cum pertineant per quoscunq, iuste exigere poterint quomodolibet vel requiri IN CUJUS REI TESTIMONIUM huic parti carte nostre confirmationis magnum sigillum nostrum apponi precepimus TESTIBUS Reverendissimo in Christo Patri et predilecto nostro Consiliario Joanne S^u Andree Archiepiscopo et nostro Cancellario predilectis nostris Consanguineis et Consiliariis Jacobo Marchione de Hamiltoun Comite Arranie et Cantabrigie Domino Aven et Innerdail &c Roberto Comite de Roxburgh D^{no} Ker de Cessfurde et Cavertoun &c nostri secreti sigilli custode W^{mo} Comite de Sterling Vice^m de Cannada Domino Alex^r de Tulliebodie &c nostro secretario dilectis nostris familiaribus consiliariis Dominis Joanne de Barro Hay nostrorum rotulorum regis ac consilii clerico Joanne Hamiltoun de Orbiestoun nostre Justicie clerico et Joanne Scott de Scottistarvett nostre Cancellarie directore Militibus apud Otlandis nono die mensis Septembris anno Domini millesimo sexcentesimo trigesimo octavo et anno regni nostri decimo quarto

the peace, and other jurisdictions above specified, the due and lawful administration of justice in the same offices and jurisdictions in all time coming, together with burgage service used and wont only, in place of all other burden and exaction, which could in any way be justly exacted or required by any whatsoever from the foresaid burgh and others above written with the pertinents. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES: The most reverend father in Christ, and our well-beloved councillor, John, Archbishop of Saint Andrews, and our Chancellor; our well-beloved cousins and councillors, James, Marquis of Hamilton, Earl of Arran and Cambridge, Lord Aven and Innerdail, &c.; Robert, Earl of Roxburgh, Lord Ker of Cessford and Caverton, &c., Keeper of our Privy Seal; William, Earl of Stirling, Viscount of Canada, Lord Alexander of Tulliebodie, &c., our Secretary; our beloved familiar councillors, Sir John Hay of Barro, Clerk of our Rolls, Register, and Council; Sir John Hamilton of Orbieston, our Justice Clerk; and Sir John Scott of Scotstarvet, Director of our Chancery, Knights. At Otlands, the ninth day of the month of September, in the year of our Lord one thousand six hundred and thirty-eight, and of our reign the fourteenth.

concedimus fundamus mortificamus ac disponimus dictis preposito Ballivis consulibus et communitati dicti burghi nři de Aberdene nunc pñtibus eorumq, successoribus omni tempore futuro Totam et integram predictam ecclesiam Sancti Nicolai cum õibus decimis rectoriis et vicariis eiusdem vnacum jure patronatus et pñta^onis ministrorum eidem toties quoties eadem vacare et occurrere contigerit in futurum remansuř cum dictis preposito ballivis consulibus et communitate dicti nři burghi eorumq, successoribus imperpetuum omni tempore futuro Et similiter nos cum consensu predicto vnimus et annexamus dictam ecclesiam Sancti Nicolai et decimas rectorias et vicarias eiusdem cum dicto jure patronatus eiusdem ad predictum nostrum burgum de Abd Et ordinamus quod vnica sasina eiusdem nunc semel capienda per dictos prepositum ballivos consules et communitatem dicti nři burghi apud crucem foralem eiusdem stabit valida efficax et sufficiens erit sasina eiusdem eis imperpetuum omni tempore futuro absq, vlla necessitate nove sasine eiusdem capiende quocunq, tempore postea in futurum Tenend dictam ecclesiam Sancti Nicolai et omnes decimas rectorias et vicarias eiusdem cum jure patronatus dicte ecclesie et pñta^onis ministrorum ad eand prefatis preposito ballivis

the said provost, baillies, councillors and community of our said burgh of Aberdeen now in office, and to their successors in all time to come, all and whole, the foresaid church of St. Nicholas, with all the teinds thereof, parsonage and vicarage, together with the right of patronage and presentation of ministers thereto, as often as the same shall happen to occur and be vacant in future, to remain with the said provost, baillies, councillors and community of our said burgh, and their successors for ever in all time to come. And, likewise, with consent aforesaid, we unite and annex the said church of St. Nicholas, and the teinds thereof, parsonage and vicarage, with the said right of patronage thereof, to our foresaid burgh of Aberdeen. And we ordain that a single sasine thereon, once now taken by the said provost, baillies, councillors and community of our said burgh, at the market cross thereof, shall stand and be a valid, effective and sufficient sasine thereon for them for ever in all time to come, without any necessitate for a new sasine to be taken thereon at any time afterwards. To be held, the said church of St. Nicholas, and all the teinds, parsonage and vicarage thereof, with the right of patronage of the said church and of presentation of ministers thereto, by the foresaid provost,

consulibus et communitati dicti nři burgi eorumq, successoribus de nobis et nřis successoribus in puram elimosinā imperpetuū Reddendo inde preces Deo omnipotenti pro nřo et successorum nřorum felici et prospero regno necnon sustentando ministrum apud dictum ecclesiam parochialem in quantum decime dicte parochie Sancti Nicolai extendi poterint Proviso qđ pñtes sint absq, prejudicio nře annuitatis et provisionis ministrorū stipendiorum Vobis etc Apud Halyruidhous vndecimo die mensis Nořis anno Dñi millesimo sexcentesimo quadragesimo primo Et regni nři anno decimo septimo

XLVIII.

Carolus etc Quia nos considerantes secundum nřum warrantum et directionem examinañem factam fuisse de conditione ministrorum burgi nři de Aberdene et scholarum grammaticæ et musicæ ac typographi eiusdem burgi nři et de suarum provisionum communitate Post quam examinañem relatio facta fuit quod super et vltra instantem

baillies, councillors and community of our said burgh, and their successors in pure alms for ever. Rendering therefor prayers to Almighty God for a happy and prosperous reign to us and to our successors, as also paying stipend to the minister of the said parish church in so far as the said teinds of the parish of St. Nicholas can allow. Providing that these presents are without prejudice to our annuity and provision from ministers' stipends. To you, etc. At Holyrood House, the eleventh day of the month of November in the year of our Lord one thousand six hundred and forty-one, and of our reign the seventeenth.

XLVIII.

King Charles I. grants to the provost, baillies, etc., for support of the ministers of the burgh, the annual sum of £100 sterling from the rental of the Bishopric of Ross. 18th November, 1641.

CHARLES, etc. Whereas, considering that, according to our warrant and direction an examination was made into the condition of the ministers of our burgh of Aberdeen, and of the grammar and song and writing schools of our said burgh, and into the common fund for their allowances, after which examination, a report was made that over and above the present

prouisionem requiritur pro competenti sustentatione ad vsus predictos annualis summa tricentarum triginta duarum librarum quindecim solidorum et septem denariorum monete strivilingeñ sicut relatio subscripta ab iis quibus commissa fuit potestas examinandi latius proportionat Et nos considerantes magna damna a dicto burghi nro de abd sustentata in suis nuperrimis turbulationibus quibus omnimodo inhabiles facti sunt subeundi onus suorum ministrorum et scholarum sustentationis sine nro auxilio et supplemento Et nos quodammodo gracie placati ut eorum necessitas in eisdem supportatur et suppleatur Nos ideo gracie placati sumus concedere dicto burgo nro de Abirdene pro sustentatione suorum ministrorum annualem summam centum librarum monete strivilingeñ et securitatem de eisdem eis dare modo sequenti Igitur nos cum avisamento et consensu predilectorum nrorum consanguineorum et consiliariorum Joannis Comitis de Lowdoun dñi terrinzeane et mauchline nri magni Cancellarij huius regni nri Scotiæ etc et reliqua in cõmuni forma Dedimus concessimus mortificavimus et disposuimus tenoreq pñtium cum avisamento et consensu predicti damus concedimus mortificamus et disponimus preposito ballivis consiliarijs et communitati dicti nri burghi de Aberdene suisq successoribus pro

allowance, there is needed for adequate support of the foresaid uses an annual sum of three hundred and thirty-two pounds fifteen shillings and seven pence, sterling money, as the report subscribed by those to whom was committed the power to examine more fully sets forth ; And, considering the great losses sustained by our said burgh of Aberdeen, in its most recent disturbances, whereby [the inhabitants] are altogether unable to bear the burden of supporting their ministers and schools without our aid and supplement ; And, being graciously pleased that their need therein should be relieved and cherished : We therefore have been graciously pleased to grant to our said burgh of Aberdeen for the support of their ministers an annual sum of one hundred pounds sterling money, and to give them security therefor in manner following. Therefore, with advice and consent of our well-beloved cousins and councillors, John, Earl of Loudon, Lord Terrinzeane and Mauchline, our high Chancellor of this our kingdom of Scotland, etc., and the rest in ordinary form, have given, granted, mortified and disposed, and by the tenor of these presents, with advice and consent aforesaid, do give, grant, mortify and dispoñe to the provost, baillies, councillors and community of our said burgh of Aberdeen,

vsu auxilio et supplemento sustentan^{is} suorum ministrorum Totam et integram annuam divoriam centum librarum monete strivilingeñ āuatim levañ et percipieñ de primis et prōptioribus censibus feudi-firmæ firmis decimis et decimarum divorijs nuperrimi episcopatus Rossensis vel de aliqua eiusd^e parte Et specialiter de particularibus terris et locis subsequentibus Viž de davata et dimidia davatæ terrarum de Cullicudden dimidia davata terræ de Culbo davata terræ de wester Culbo davata terræ de Idoll quarteria siue quarta parte terrarum de Wodheid St. Mairtene Craighous et Balblair dimidia davata terræ de Kinbeachie terris de Vrqñt Essie Inchchulter Kenloch glas Balracoule Auchnagaid Bothmore Kinkell Annes terris de Arthourseir Craigheid et easter Rachrie terris de Syrressar Arconduch Kincurdie Kilchoane Strommady et Little Moy terris de Alves Tarbert molendino de Tarbert Dibbidill molendino de Rosqueine terris de Kildermoir Auchnaculleine et de terris dñi de Lovat in prioratu de Bewlie Cum potestate prefatis preposito ballivis consilarijs et com-

and to their successors, and for the use, aid and increase of the income of their ministers, All and whole annual duty of one hundred pounds sterling money, to be uplifted and gathered yearly from the first and readiest maills, feu duties, teinds, and teind duties, of our late bishopric of Ross, or from any part thereof; and especially from the particular lands and places following, viz., from the davach* and half davach of the lands of Cullicudden, the half davach of land of Culbo, the davach of land of Wester Culbo, the davach of land of Udale, the quarter or fourth part of the lands of Woodhead, St. Martins, Craighouse and Balblair, the half davach of land of Kinbeachie, the lands of Urquhart, Ethie, Inchcoulter, Kinlochglass, Balracoul, Auchnagaid, Boathmore, Kinkell, Alnes; the lands of Ardersier, Craighead and Easter Raddery; the lands of Syrressar, Arcandeith, Kincurdy, Kilchoane, Strommady and Little Moy; the lands of Alves, Tarbat, Mill of Tarbat, Dibidale, Mill of Rosskeen; the lands of Kildermorie, Auchnaculleine; and from the lands of Lord Lovat in the priory of Beaulie: with power to the aforesaid provost, baillies, councillors and community of our said burgh of Aberdeen, and to their successors,

* *Davach*. "A measure of land known chiefly over the north-eastern counties. . . . It seems to follow that . . . half a davach consisted of two ploughs, and that a whole davach would be equal to four ploughs." Cosmo Innes' *Scotch Legal Antiquities*, pp. 271-3. Cf. *Proc. Soc. Ant. Scot.*, xviii., 258; xx., 200.

munitati dicti burgi nři de abđ suisq, successoribus levanz predict census feudifirmaz firmas decimas et decimaram divorias dict particulariū třarum aliorumque suprascript a feoditarijs feudifirmarijs tenentibus assedatoribus aliisq, humōj debitoribus de croppa et anno Dři millesimo sexcentesimo quadragesimo primo et ānuati omni tempore futuro eademq, vsibus predictis applicandi sicut nos cum consensu predict dissolvimus predict census feudifirmaz firmas decimas et decimarum divorias a dicto episcopatu Rossensi et beneficio eiusd et annexavimus eadem dicto burgo nřo de abđ omni tempore affuturo ad vsus predictos Vobis etc Apud Halyrudhous decimo octavo die mensis Nōris āno Dři millesimo sexcentesimo quadragesimo primo et regni nři āno decimo septimo

XLIX.

King Charles II. ordains a letter to be expedē, confirming to the provost, baillies, etc., the grant made (18th November, 1641) by King Charles I. 10th April, 1661.*

Our Sovereigne Lord Ordaines An Letter to be made and expedē vnder his Ma^{ties} great Seals of his ancient Kingdome of Scotland In due form : Ratifying and approveing : Likeas, his Ma^{tie} hereby Ratifyes and approves, an former Guift made and granted by his Ma^{ties} royall ffather (of ever blessed Memory) In favours of his ancient Burgh of Aberdene, and of the Ministers and Schooles thereof, of the date at Hallyrudhouse, the 18th day of November, 1641; And Giveing,

to uplift the aforesaid maills, feu duties, teinds and teind duties of the said particular lands, and of others above written, from the feuars, tenants, lessees and others in debt thereto, for the crop and year of our Lord one thousand six hundred and forty-one, and annually in all time to come; and to apply the same to the uses aforesaid. And we, with consent aforesaid, dissolve the foresaid maills, feu duties, teinds and teind duties, from the said bishopric of Ross, and the benefit thereof, and annex the same to our said burgh of Aberdeen in all time to come, for the uses aforesaid. To you, etc. At Holyroodhouse, the eighteenth day of the month of November in the year of our Lord one thousand six hundred and forty-one, and of our reign the seventeenth.

* No. XLVIII., p. 201.

Granting, and of new disponeing, Likeas, his Ma^{tie} by these presents Gives, Grants, and of new disposes, To and in favours of the Provost, Baillies, Councillorⁿ, and Community of the said Burgh, and their successors ffor the vse, help, and behoofe of the Ministers thereof and other pious vses; All and hail an yearely Pension of an hundreth pounds sterling, To be payd yearely, out of the first and readiest Rents, ffewfermes, Teinds, and other dueties whatsoever, of, or belonging, to the late Bishoprick of Rosse, or any part of the samy, And Especially of the lands and Others particularly designed and expressed, in the said Guift. With power to the said Provost, Balives, Councillors and Comunity of Aberdene foresaid, and their successors, To ask, crave, receive, intromett with, and vptake the pension aboue written from the ffewars, ffewfermers, Tennants and others lyable in payment for the samy; And that of all yeares and cropes bygane vn- payd; And siclike yearely and termely in tyme comeing, and the same to apply allenerly, to the vses foresaid, Conforme to the Tenor of the said former Guift, In every particular point and Clause, therein contained. And the said Letter be further extended in the best forme, with all clauses necessary: And these presents, to bee a sufficient warrant to the Director of the Chancellary and the Keeper of the great Seale, to write, and append the samy without passing any other Register or Seales. Given at Our Court, at Whitehall, the tenth day of Aprile 1661 and of our Regine, the 13th yeare.

L.

*King Charles II. ordains a letter of gift to be extended conveying to the provost, baillies, etc., the patronage of the church of Newhills. [Circa 1666.]**

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As also considering that by severall Charters Gifts, and Graunst, Maid by OUR SOVERAIGNE LORD His said vmqⁿ father and others his Highness prediccors KINGS, AND QUEENS OF SCOTLAND In favours of the Provost, Baillies, Councill, and Comunitie of the said Burgh of Aberdein, They have the right of Patronadge of all churches, Cheplenries Altarages and others builded, erected, and founded within

* The beginning of the document is torn.

the said Burgh, and limits therof AND Being now informed that ther wes ane kirk laitlie builded Be the deceast George Davidsonsone burges of the said Burgh vpon the bounds, and within the friedome of the foir-said Burgh and territories therof, Called the kirk of Newhills, or Caple-hills, And w^{ch} kirk is laitlie erected in ane Paroch kirk in all tyme coming, Be the Lords Comissioners for plantatione of kirks And vale-watione of teyndis, And that the s^d George Davidsonsone for the mantinence of a Minister to serve the Cuir att the said kirk did Mortefie the towne and Lands of Newhills with ther pertinents haill rents, and Casualties thereof Holdin be him of the said Burgh of Aberdein, in frie Burgage Quhairthrogħ the Cōmon Good and Interest of the said Burgh Is in some pairt prejudged, and damnefied, In regaird the Lands Mortefied, will not be lyable to bear stent and Impositiones, As the rest of ther Comone Lands does, And that they will want ane vassall to watch and ward with them, and to be lyable to all burdens, as the other Inhabitants are AND SICLYK Considering that the right of Patronadge Advocatione and Donacione, of the said kirk perteens, and belongs TO OUR SOVERAIGNE LORD By the Priveledge of the Croune, As not beeng appoynted, and determined be the said deceast George Davidsonsone, Founder, and Mortifier befor his deceass THERFOR OUR SOVERAIGNE LORD, With advyce of His Ma^{ties} Right trustie Cusings and Cowncillors Iohne Earle of Rothes etc Heigh Chancelor of Scotland, Iohne Earle of Lauderdaill soll Secretarie of Stait, Iohne Earle Tweddaill, Allexand^r Earle of KinCarden, William Lord Bellendine, His Ma^{ties} Thesaurer deputt, William Lord Cochran his Ma^{ties} trustie Councillor S^r Robert Murray lait Justice Clerk, His Ma^{ties} Comissioners for the Thesaurie, Comptrollerie, and Thesaurie of new augmentationes within His kingdome of Scotland, And also with advyce and Consent of the Lords and others Comissioners of the Excheq^r of the said kingdome ORDAINES Ane Letter of Gift to be maid vnder his Ma^{ties} great Seall In dew and competent forme To his Heighness Lovits The Provost, Baylies, Councill, and Comunitie of the sd Burgh of Aberdeen and ther successors in all tyme coming, off the Advocatione, Donacione, and right of Patronage off the said new erected parochine and paroch kirk of Newhills, or Caplehillis, haill privileges, Imunities, and Casualties thereto belonging, Or that is knowene to belong to aney others Patrons of parochines and parish

Churches within this said kingdome of Scotland WITH power to the sds Provest Baylies, and Councill of the sd Burgh of Aberdein To present Ministers for serving the Cuir att the said Kirk, To the said Mortefied steepend and mantinence, and to the provisiones granted and appoynted furth of the nixt adjasent parochine of Old Machar, for the better provisione of the Minister serving the cuir att the said new erected kirk, And to the Manse, and Gleb provyded or to be provyded to the saids Ministers, fruits, rents, emoluments, and dewties therof, teins, Customes and Casualties belonging therto And that the said Gift be farder extended in the best forme GIVEN ATT * * *

LI.

CAROLUS Dei gratia magnæ britanniae Franciæ et hiberniæ Rex fideiq, defensor Omnibus probis hominibus suis ad quos præsentēs literæ n̄ræ pervenerint Salutem SCIATIS Quia Nos animo nostro revolventes deploratam et tristem conditionem antiqui n̄ri burgi de Aberdein ejusq, civium in hoc antiquo Regno nostro Scotiæ ex gravi onere æris alieni per eos debiti eorum propriis mortificationibus aliisq, vsibus piis per eos contractis extruendo eorum portum instaurando eorum ecclesias et pontes de Don et dee et diversa alia publica opera eorumq, gravia damna tempore calamitoso nuper tumultum et rebellionis perpessa

LI.

King Charles II. grants to the provost, baillies, etc., certain excise duties for a term of eleven years. 30th September, 1678.

CHARLES, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, to all his good men to whom our present letters shall come, greeting. KNOW YE that we, reflecting on the deplorable and sad condition of our ancient burgh of Aberdeen and its citizens, in this our ancient kingdom of Scotland, owing to the heavy burden of debt due by them to their own mortifications and other pious uses, incurred by them in constructing their harbour, restoring their churches and the bridges of Don and Dee, and diverse other public works ; and their heavy losses suffered in the late disastrous

Annui redditus quorum quidem debitorum excedit et exhaurit eorum publicum ærarium adeo ut si eorum creditores executione legum contra eos vterentur vna cum ruina cōmercii et paupertate civium dicī burgus et nostra gubernatio prope interitum esse videtur IDCIRCO Nos cupientes opem ferre Magistratibus et cōmunitati dicī burgi nostri de Aberdein Quoad solutionem dicī utq, eorum opera manufactoria instaurentur et cōmercium foveatur et noster gubernatio in dicto burgo adjuvetur proq, eorum incitamento ad persistendum in nostro servitio in posterum DEDIMUS concessimus disposuimus Tenoreq, præsentium pro causis antedicī et diversis aliis rationibus Nos moveñi Damus concedimus et disponimus præposito balivis et consulibus dicti burgi nostri de Aberdein nomine communitatis ejusdem Impositionem quatuor denariorum monetæ hujus Regni nostri Scotiæ super vnoquoq, pincto cerevisiæ concoctæ venditæ vel infra dicī burgum et libertates ejusdem absumptæ summam quinquaginta librarum monetæ prædicī super vnoquoq, dolio lie Tunn vini Gallici Sūmam Quinquaginta librarum monetæ prædicī super vnoquoq, dolio lie Butt vini Saccati seu hispanensis vel vini Rhenensis Summam duorum solidorū super vnoquoq, pincto vini exotici vocat lie brandie wyne vel lie strong-

time of tumults and rebellion, the annual interest of which debts exceeds and exhausts their public revenue, so that if their creditors were to put the laws in execution against them, in addition to the ruin of the commerce and the destitution of the citizens, the said burgh and our government would be almost destroyed: We THEREFORE, being desirous to assist the magistrates and community of our said burgh of Aberdeen in the said payment, and in order that their manufactures should be restored and their commerce encouraged and our government in the said burgh upheld, and to incite them to continue in our service in the future, HAVE GIVEN, granted, disposed, and, by the tenor of these presents, for the causes aforesaid, and for diverse other reasons moving us, do give, grant and dispose to the provost, baillies and councillors of our said burgh of Aberdeen, in name of the community thereof, an impost of four pence, money of this our kingdom of Scotland, upon every pint of ale, brewed, sold or consumed within the said burgh and the liberties thereof; the sum of fifty pounds money aforesaid upon every tun of French wine; the sum of fifty pounds money aforesaid upon every butt of sack, or of Spanish or Rhenish wine; the sum of two shillings upon every pint of

waters et aquavite sive importaſ concocti vel vendit infra dicti burgum CUM potestate dictis Magistratibus exigendi prædictam Impositionem super cerevisia zitho sive ad ratam viginti solidorum monetæ prædictæ super vnaquaq, bolla polenti concocti per quamcunq, personam seu personas intra dictum burgum et libertates ejusdem vel ad ratam quatuor denariorum super vnoquoq, pincto cerevisiæ et zithi potabilis vtrumcunq, eorū eis efficacius videbitur ET SIMILITER imponendi et exigendi Summam Tredecem solidorum et quatuor denariorum monetæ prædictæ super cadavere cujusq, bovis Summam duodecem solidorum monetæ prædictæ super cadavere cujusq, vaccæ Summam octo solidorum monetæ prædictæ super vnoquoq, vitulo pretii octo librarum Summam sex solidorum monetæ prædictæ super vnoquoq, vitulo minoris pretii Summam octo solidorum monetæ prædictæ super vnoquoq, porco Summam duorum solidorum mōtæ prædictæ super vnoquoq, vervece sūmam vnus solidi Scotici pro vnoquoq, agno quem contigerit vendi in publico foro dicti burghi CUNCTÆ quæquid impositiones solvendæ sunt per venditores vini cerevisiæ zithi lie Brandie aquavite strongwaters per concoctores polenti invectores ejusdem et per laniones in dicto

foreign wine called brandy-wine or strong waters, and of aqua vitæ, whether imported, distilled or sold within the said burgh. WITH power to the said magistrates to exact the foresaid impost upon ale and beer, either at the rate of twenty shillings money aforesaid upon every boll of barley malted by any person or persons whatsoever within the said burgh and the liberties thereof, or at the rate of four pence upon every pint of ale and drinking beer, whichever of these shall seem to them more effective; AND LIKEWISE to impose and exact the sum of thirteen shillings and four pence money aforesaid upon the carcase of every ox, the sum of twelve shillings money aforesaid upon the carcase of every cow, the sum of eight shillings money aforesaid upon every calf of the value of eight pounds, the sum of six shillings money aforesaid upon every calf of less value, the sum of eight shillings money aforesaid upon every pig, the sum of two shillings money aforesaid upon every sheep, the sum of one shilling Scots for every lamb, that shall chance to be sold in the public market of our said burgh. ALL which imposts are to be paid by the sellers of wine, ale, beer, brandy, aqua vitæ, strong waters, by the malters of the barley or importers thereof, and by the butchers in our said burgh of Aberdeen and

burgo nostro de Aberdein et libertatibus ejusdem reſtitive ET quæquidem impositio ſuper vino cereviſia aliisq; liquoribus antedictis declaratur eſſe et fore abſq; præjudicio ordinariæ exciſæ et annuitatis Nobis per actum parlamenti conſeſſe Et Nos volumus et declaramus impositiones antedictas et vnamquamq; earundem perſiſtere et vim habere pro ſpatio vndecem annorum poſt primum diem menſis Novembris proxime futuri milieſimo ſexcenteſimo ſeptuageſimo octavo A quo tempore præſentes hæ literæ noſtræ inchoature ſunt et dictæ impositiones incipient CUM plena poteſtate præpoſito balivis et conſulibus dicti burghi noſtri eorumq; ſucceſſoribus in dictis officiis de tempore in tempus durañ annis et ſpatio ſupra expreſſo eorumq; colectoribus nominandis et eorum auctoritate muniendis levandi et exegendi antedictas impoſiōes pro ſolutione debitorum dicti burghi Idq; vel ſuper cereviſia et zitho vel ſuper bolla pollenti ut dictum eſt et ſuper vino lie brandie aquavite et ſtrongwaters carne et cadaveribus ad publicum forum allatis ut particulariter ſupra exprimitur Et acceptilationes deſuper concedendi Ac pro eiſdem namandi et diſtingendi Et generaliter cuncta alia eatenus gerendi et exercendi pro efficaci ſolutione faciend earund Similiter adeoq; libere ſicut Magiſtraſ et

the liberties thereof reſpectively. AND every impoſt upon wine, beer and other liquors aforeſaid is declared to be, now and henceforth, without prejudice to the ordinary exciſe and annuity granted to us by Act of Parliament. And we will and declare that the impoſts aforeſaid and everyone thereof ſhall continue and have force for the ſpace of eleven years after the firſt day of the month of November next to come, one thouſand ſix hundred and ſeventy-eight, from which date theſe our preſent letters ſhall come into force and the ſaid impoſts ſhall begin. WITH full power to the provost, baillies and counſillors of our ſaid burgh, and their ſucceſſors in the ſaid offices, from time to time within the years and ſpace above ſet forth, and to their collectors to be nominated and ſtrengthened with their authority, to uplift and exact the aforeſaid impoſts for the payment of the debts of the ſaid burgh, and that either upon beer and ale, or upon the boll of barley as aforeſaid, and upon wine, brandy, aqua vitæ and ſtrong waters, fleſh and carcaſes brought to the public market, as particularly ſet forth above; and to grant diſcharges thereupon; and to poind and diſtrain therefor; and generally to do and execute all other things thereanent for bringing about the effectual payment

consules cujusvis alterius burgi nostri. Regalis infra hoc Regnum nostrum facere potuerat vel facere potuerit virtute quarumcunq; literarum privilegii similis naturæ per nos cuivis eorum concessæ IN CUJUS REI TESTIMONIUM præsentibus magnum sigillum nostrum appendi mandavimus APUD Aulam nostram de Whytehall Trigesimo die mensis septembris Anno Domini Millesimo Sexcentesimo septuagesimo octavo et anno Regni nri Trigesimo

LII.

Anna Dei gratia Magnæ Britanniae Franciæ et Hiberniæ Regina fideiq; defensor, OMNIBUS probis hominibus totius terræ suæ Clericis et laicis Salutem, Sciatis nos cum avisamento et consensu [ut in alijs Cartis consimilis datæ præcedē] Dedisse, concessisse disposuisse et hac præsentī Carta nostra Confirmasse, Tenoreq; ejusdem Dare concedere disponere, et pro nobis et successoribus nostris pro perpetuo

of the same ; in like manner and as freely as the magistrates and councillors of any other our royal burgh within this our kingdom can or could do in virtue of any letters of privilege whatsoever of like nature granted by us to any one of them. IN WITNESS WHEREOF we have ordered our great seal to be appended to these presents. AT our court of Whitehall, the thirtieth day of the month of September in the year of our Lord one thousand six hundred and seventy-eight, and of our reign the thirtieth.

LII.

Queen Anne grants to the provost, baillies and dean of guild the teinds of the Cruives, within and below, in the Don for payment of the yearly feu-duties : £38 Scots to the Minister of St. Nicholas, and 11s. 8d. to the Crown. 31st July, 1702.

ANNE, by the grace of God Queen of Great Britain, France and Ireland, Defender of the Faith, TO ALL good men of her whole land, churchmen and laymen, greeting. Know ye that with advice and consent [as in other previous charters of like date*] we have given, granted, disposed, and by the present charter have confirmed, and by the tenor thereof do give, grant, dispense, and

* Recorded in *Registrum Magni Sigilli*.

Confirmare Joanni Allardice præsenti præposito burgi de Aberdein, Alexandro Ray, Joanni Ross, Alexandro Drem et Alexandro Forbes de Ludquharn ballivis et Jacobo Catanach decano gildæ dicti burgi et eorum successoribus præposito ballivis decano gildæ Concilio et Communitati ejusdem burgi pro usu et beneficio Communitatis ejusmodi, sine ulla redemptione reversione seu regressu in perpetuum, TOTAM et integram Salmonum piscationem subtus specificaſ, VIZ: OMNES et singulas Salmonum pisces cum pertineñ quæ olim pertinuerunt ad EPISCOPUM ABERDONIENſ tam ratione decimarum quam temporalium jurium vel ullo alio modo prædeñ et capieñ quibuscunq, temporibus infra [*sic*, cf. p. 214] piscationem de lie Cruives tam infra [*sic*] dicſ lie Cruives quam infra easdem Super aquam de Don extendeñ in numero ad Sextam Salmonum piscem et Septimam Salmonum piscem omnium piscium cujuscunq, generis Salmonum piscium et cujuscunq, alterius generis piscium VIZ: lie laxes grilse trouts et aliorum piscium quorumcunq, predeñ et capieñ super dicſ piscatione ut prædicitur cum privilegijs et pertineñ ad eandem spectañ Jaceñ in parochia de St Marchar [*sic*] et vicecomitatu de Aberdein QUÆQUIDEM piscatio Salmonum perprieus hæreditarie pertinuit ad Jacobum Gordon de Seatoun, et per illum

for us and our successors for ever confirm, to John Allardyce, for the time being provost of the burgh of Aberdeen, Alexander Ray, John Ross, Alexander Drem, and Alexander Forbes of Ludquharn, baillies, and James Catanach, dean of guild of the said burgh, and their successors, provost, baillies, dean of guild, council and community of the same burgh, for the use and benefit of the said community, without any redemption, reversion or withdrawal for ever, ALL and whole the salmon fishing under specified—namely, ALL and sundry the salmon with the pertinents which formerly belonged to the Bishop of Aberdeen, to be caught or taken by way of teinds or of temporalities, or in any other way, at any time whatsoever, within the fishing of the Cruives, as well within the said Cruives as below the same on the water of Don, extending in number to the sixth salmon fish and the seventh salmon fish of all fishes of any kind, salmon fishes and any other kind of fish, viz.: lax, grilse, trout and other fishes whatsoever caught and taken on the said fishing as aforesaid, with the privileges and pertinents belonging thereto, lying in the parish of St. Machar and sheriffdom of Aberdeen; WHICH salmon fishing formerly belonged in heritage to James Gordon of Seaton, and by him and his lawful procurators in his name specially constituted for this pur-

ejusq, legitimos procuratores ejus nomine ad hunc effectum specialiter constitutū virtute procuratoriæ resignationis contentū in dispositione concessā ab illo Jacobo Moir de Stonywood ejusq, hæredibus et assignatis de data tertio die mensis Decembris anno Domini millesimo sexcentesimo nonagesimo octavo, Cum omni debita reverentia et humilitate uti decet pure et simpliciter ut moris est per fustim et baculum debite et legitime resignatū fuit in manibus dicť Dominorum Commissionariorum nostri Thesaurarij et Scaccarij, potestatem et commissionem habentē a nobis recipere resignationes et desuper concedere nova infeofamenta, tanquam in manibus nostris immediati legitimi superioris ejusdem tanquam devenientē in locum Episcopi Aberdonieñ virtute acti parlamenti Episcopatum abolientē apud Edinburgum decimo die mensis Julij instantis in favorem et pro hoc novo nostro infeofamento earundem faciendū et concedendū dictis præposito ballivis et decano gildæ dicti burghi de Aberdeen pro seipsis, et in nomine et tanquam representantē Concilium et Communitatem ejusdem et eorum successoribus in loco et officio, hæreditarie et irredimabiliter omni tempore futuro Et hoc tanquam assignatis et jus habentē prædictæ dispositionis et procuratoriæ resignationis inibi contentū virtute dispositionis et assignationis illis con-

pose, by virtue of a procuratory of resignation contained in a disposition granted by him to James Moir of Stonywood and his heirs and assignees, of date the third day of the month of December in the year of our Lord one thousand six hundred and ninety-eight, with all due reverence and humility, as is becoming, purely and simply, as is the custom, by staff and baton, was duly and lawfully resigned into the hands of the said Lords Commissioners of our Treasury and Exchequer, having power and commission from us to receive resignations, and thereon to grant new infeftments, as in the hands of us the immediate lawful superior thereof (as coming in place of the Bishop of Aberdeen, by virtue of the Act of Parliament abolishing Episcopacy), at Edinburgh the tenth day of July current, in favour of, and in order that this our new infeftment thereof might be made and granted to, the said provost, baillies and dean of guild of the said burgh of Aberdeen, for themselves and in name of and as representing the council and community thereof, and their successors in place and office, heritably and irredeemably in all time to come : And this as to the assignees and those having right to the foresaid disposition and procuratory of resignation therein contained, by virtue of the disposition and assignation granted to them by the said James

cess per dictum Jacobum More ea circa de data decimo quinto die mensis Maij anno Domini millesimo septingentesimo primo TENEÑ de nobis et Successoribus nostris modo Subscript Et hoc in tali debita et competente forma uti congruit Sicuti authentica instrumenta desuper suscepta in manibus Magistri Arthur Forbes notarij publici latius proportant TENEÑ et HABEÑ dicť piscationem cum pertineñ ejusmodi quibuscunq, tam ratione decimarum quam jurium temporalium seu ullo alio modo capieñ et preñdeñ quocunq, tempore intra piscationem dicť lie Cruives tam bene intra dicť lie Cruives quam infra easdem super dicť aquam de Don extendeñ ad sextam et septimam piscem omnis generis piscium preñdeñ super dicť aqua, dictis præposito ballivis et decano gildæ et eorum successoribus pro usu et beneficio communitatis dicti burgi, De nobis et successoribus nostris superioribus ejusmodi, in feodo et hereditate in perpetuum, per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine, et sicut tales pisces capiuntur per omnes partes et bondas dicť piscationis supra dicta aqua de Don cum omnibus partibus et privilegijs, etc. REDDENDO inde annuatim dicti præpositus ballivi decanus gildæ, Concilium et communitas dicti burgi de Aberdein præsentì rectori de St. Nicolas et ejus

More thereanent, of date the fifteenth day of the month of May in the year of our Lord one thousand seven hundred and one: To be held of us and our successors in manner subscribed, and this in such due and competent form as accords, as the authentic instruments therefrom taken in the hands of Master Arthur Forbes, notary public, more fully set forth. To BE HELD AND HAD the said fishing with the pertinents thereof whatsoever, to be caught or taken, whether by way of teinds or of temporalities, or in any other way, at any time whatsoever, within the said fishing of the Cruives as well within the said Cruives as below the same upon the said water of Don, extending to the sixth and seventh fish of all kinds of fishes caught upon the said water, by the said provost, baillies and dean of guild and their successors, for the use and benefit of the community of the said burgh, of us and our successors superiors thereof, in fee and heritage for ever, by all their right meiths, ancient and divided, as they lie in length and breadth, and as such fishes are taken through all the parts and bounds of the said fishing on the said water of Don, with all the parts and privileges, etc. PAYING therefor yearly the said provost, baillies, dean of guild, council and community of the said burgh of Aberdein to present rector of St Nicholas, and his

successoribus curam serviē apud dictā Ecclesiam tanquam jus habē virtute dispositionis concess⁹ per Patricium Episcopum de Aberdein de data decimo quarto die mensis Aprilis anno Domini millesimo sexcentesimo et decimo tertio summam viginta octo libras monetæ Scotiæ. ET similiter Reddendo nobis et successoribus nostris tanquam deveniē in locum dicti Episcopi summam undecem solidorum et octo denariorum monetæ prædictæ ad duos anni terminos festa VIZ. pentecostes et Sti Martini hieme per æquales portiones nomine feudifirmæ, ET si contigerit dictæ præpositum, ballivos, decanum gildæ, Concilium et communitatē dicti burghi seu eorum successores deficere in solutione prædictæ feudifirmæ annuatim et terminatim ut prædicitur sicut unus terminus curret in alium non soluť, Tunc illi duplicabunt dictam feudifirmam, ET si duo termini current in tertium non soluť post legitimam requisitionem eacirca faciend, TUNC præsens infeofamentum nostrum cadet et expirabit et postea nullius valoris aut momenti erit. ET in eo casu legitimum erit nobis nostrisq, prædictæ super dicta piscatione ad placitum disponere, pro omni alio onere, etc. INSUPER vicecomiti et ballivis suis de Aberdein, necnon dilectis nostris

et eorum quilibet conjunctim et divisim vicecomitibus

successors serving the cure of the said church, as having right by virtue of the disposition granted by Patrick, Bishop of Aberdeen, of date the fourteenth day of the month of April in the year of our Lord one thousand six hundred and thirteen, the sum of twenty-eight pounds money of Scotland : And likewise paying to us and our successors, as coming in place of the said Bishop, the sum of eleven shillings and eight pence money aforesaid at two terms of the year, viz., the feast of Pentecost and of St Martin in winter, by equal portions in name of feufarm. And if it shall happen that the said provost, baillies, dean of guild, council and community of the said burgh, or their successors, fail to pay the foresaid feu-duty yearly and termly as aforesaid, so that one term shall run into another unpaid, then they shall double the said feu-duty ; and if two terms shall run into a third unpaid, after the lawful requisition to be made thereanent, then our present infeftment shall fall and expire, and shall afterwards be of no strength or moment. And in that case it shall be lawful for us and our foresaids to dispoise the said fishings at pleasure, for all other, etc. Moreover, to the sheriff and his baillies of Aberdeen, as also to our beloved and each of them conjointly and severally our sheriffs of the shire of Aberdeen in this part

nostris in hac parte vicē de Aberdein specialiter constituť Salutem, Vobis præcipimus et mandamus quatenus præfať præposito Joanni Allardyce, ballivis decano gildæ, Concilio et communitati dicti burghi de Aberdein, vel eorum certo actornato latori presentium, sasinam dicť Salmonum piscationis cum pertineñ ejusdem quibuscunq̃ jaceñ ut præfertur secundum formam et tenorem antedictæ Cartæ nostræ quam de nobis inde habent juste haberi faciatis sine dilatione. Et hoc nullo modo omittatis. Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim vicecomitibus nostris vicē de Aberdein in hac parte antedictĭ, committimus potestatem. IN CUJUS rei testimonium huic presenti Cartæ nostræ Magnum Sigillum nostrum appendi mandavimus, Testibus [ut in alijs Cartis consimilis data præcedē] Apud Edinburgum trigesimo primo die mensis Julij anno Domini millesimo septingentesimo secundo et anno regni nostri primo.

LIII.

GEORGIUS Dei Gratia Magnæ Britannię Franciæ et Hiberniæ Rex fideiĭq̃ defensor OMNIBUS probis hominibus totius terre sue clericis et

specially constituted, greeting: We charge and command you without delay to give in due form to the foresaid provost, John Allardyce, the baillies, dean of guild, council and community of the said burgh of Aberdeen, or their undoubted attorney bearing these presents, sasine of the said salmon fishing, with the pertinents thereof whatsoever lying as aforesaid, according to the form and tenor of our foresaid charter, which they have of us thereupon; and this in no wise to omit. For which end we grant power to you and each one of you, conjointly and severally our sheriffs of the shire of Aberdeen in this part aforesaid. In witness whereof we have ordered our great seal to be appended to this our present charter. Witnesses [as in other previous charters of like date]. At Edinburgh, the thirty-first day of the month of July in the year of our Lord one thousand seven hundred and two, and of our reign the first.

LIII.

King George II. grants to the provost, baillies, etc., the teinds of the parish of St. Nicholas. 16th June, 1737.

GEORGE, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and

Laicis Salutem QUIA Nos considerantes Ecclesiam Sancti Nicolai intra burgum de Aberdeen esse principalem Ecclesiam parochialem dicte civitatis et olim fuisse propriam Ecclesiam Episcopi Abredonensis Et quod suppresso in Scotia Episcopatu Carolo primo Regi beatæ memoriæ benigne visum est ad pastores curæ apud dicte Ecclesiam inservientes melius supeditandos et sustentandos DARE et MORTIFICARE Præposito Balivis Consiliariis et Communitati dicti Burgi de Aberdeen eorumque in officio Successoribus Totas et integras Decimas Rectorias et Vicarias dicte Ecclesiæ et parochiæ Sancti Nicolai Secundum Cartam sub magno Sigillo Scotie concessam undecimo die Novembris anno Domini Millesimo Sexcentesimo quadragesimo primo Que Carta decimo septimo die dicte mensis Novembris in Parlamento Scotie ratificata fuit et Sasina dicte Communitati desuper data Et quod mense Aprilis Anno Domini Millesimo Sexcentesimo Sexagesimo primo Carolus Secundus Rex beatæ memoriæ warrantum sub manu sua regali concessit pro carta confirmationis omnium priorum donationum aliorumve jurium per Regios suos Prædecessores in favorem dicte civitatis concessam quod ineffi-

laymen, greeting. WHEREAS We, considering that the church of St. Nicholas, within the burgh of Aberdeen, is the chief parish church of the said city, and was formerly the proper church of the bishop of Aberdeen, and that on the suppression of Episcopacy in Scotland it seemed fit to King Charles I. of blessed memory to GIVE and MORTIFY to the provost, baillies, councillors and community of the said burgh of Aberdeen, and their successors in office, for the better support and maintenance of the ministers serving the cure in the said church, all and whole the parsonage and vicarage teinds of the said church and parish of St. Nicholas, according to the charter granted under the great seal of Scotland on the eleventh day of November in the year of our Lord one thousand six hundred and forty-one,* which charter was ratified in the Parliament of Scotland,† and sasine thereon given to the said community, on the seventeenth day of the said month of November, and that in the month of April, in the year of our Lord one thousand six hundred and sixty-one, King Charles II. of blessed memory granted a warrant under his royal hand for a charter of confirmation of all former gifts or other rights granted by his royal predecessors in favour of the said city,‡ which was rendered void

* No. XLVII., p. 199.

† No. XXV., p. 258.

‡ No. XLIX., p. 204.

cax redditum fuit quoad decimas per Restitutionem Episcopatus anno Domini millesimo Sexcentesimo Sexagesimo secundo ET NOS ETIAM Considerantes quod jus dicf decimarum per Leges in Nos revertit et nunc nræ Regiæ donationis et Dispositionis est Et quod dicf decimæ ad sustentandos pastores curæ infra dicf parochiam inservientes naturaliter designantur Et quod applicatio earundem in dicf usum ad Relevium dicf Magistratuum et Communitatis magnopere tenderet qui nullam Stipem habentes pro maxima parte pastorum Stipendiorum solvenda pecunias hunc in finem mutue accipere necessario coguntur ex quo debitum Communitatis valde auctum est et semper crescere oportet ET NOS ex Regia nostra Benignitate et Benevolentia Volentes decimas dicf parochiæ magistratibus et Communitati dicf Burghi De Novo Dare et Mortificare ad pastores apud dicf Ecclesiam curæ inservientes melius suppeditandos et sustentandos Et Communitatem pro tanto de Stipendiis pastoribus ejusdem solubilibus relevandam Igitur Et tanquam insigne nostræ Regiæ Benevolentiæ erga magistratus et Incolas dicf Civitatis Iudicium Et pro multis magnis et insignibus Servitiis per illos nobis nostrisq, Regiis prædecessoribus factis et præstitis Nos cum

with respect to the teinds by the restoration of Episcopacy in the year of our Lord one thousand six hundred and sixty-two; AND WE ALSO, considering that the right to the said teinds did by law revert to us and is now in our royal gift and disposal, and because the said teinds are naturally designed to maintain the ministers serving the cure within the said parish, and because the application thereof to the said use would tend very greatly to the relief of the said magistrates and community, who, having no endowment for paying the greater part of the ministers' stipends, are of necessity compelled to borrow money therefor, whereby the debt of the community has been much increased and must always continue to increase; AND WE, of our royal favour and benevolence, wishing of new to give and mortify the teinds of the said parish to the magistrates and community of the said burgh for the better support and maintenance of the ministers serving the cure in the said church and for the relief of the community *pro tanto* from payment of the ministers' stipends: Therefore, and as a prominent mark of our great favour for the magistrates and inhabitants of the said city, and in return for many great and eminent services done and rendered by them to us and our royal predecessors, We, with special advice and consent of Matthew Lant, Esquire, lord chief baron

speciali Avisamento et consensu Mathei Lant Armigeri Domini capitalis Baronis Scaccarij nostri in illa parte Magnæ Britaniæ Scotia vocatæ Domini Ioannis Clerk de Pennycuick Georgii Dalrymple Thome Kennedy et Edwardi Edlin Armigerorum reliquorum Baronum dicti Scaccarij Dedimus Concessimus Mortificavimus Et pro perpetuo Confirmavimus Sicuti tenore præsentium cum avisamento et consensu prædicti Damus Concedimus et Mortificamus Et pro nobis nostrisque Regiis Successoribus pro perpetuo Confirmamus nostris dilectis Præposito Balivis Consiliariis et Communitati dicti civitatis de Aberdeen nunc præsentibus eorumque successoribus pro perpetuo omni tempore futuro Totas et integras Decimas dicti parochialis Ecclesiæ et parochiæ Sancti Nicolai Rectorias et vicarias cum integris proficuis Libertatibus et pertinentibus earundem ET NOS VOLUMUS et Declaramus Quod hæc præsens Carta nullo modo intelligetur tanquam donatio ullius additionalis Stipendii pastoribus dicti Burgi plusquam pro præsentibus illis a Magistratibus et Communitate stabilitur Sed vera intentio et significatio hujus donationis est quod dicti decimæ in solutionem dicti Stipendiorum pro tanto applicando sint ob relevium Communitatis et Incolarum dicti Burgi de iisdem Stipendiis ad dicti decimarum valorem et extantum Et nos cum consensu prædicti unimus et annexamus dicti decimas ad

of our Exchequer in that part of Great Britain called Scotland, John Clerk of Pennycuick, George Dalrymple, Thomas Kennedy, and Edward Edlin, esquires, remanent barons of the said Exchequer, have given, granted, mortified and for ever confirmed, as by the tenor of these presents, with advice and consent aforesaid, We give, grant and mortify, and for us and our royal successors for ever confirm, to our beloved provost, baillies, councillors and community of the said city of Aberdeen at the present time, and their successors for ever in all time to come, All and whole the teinds of the said parish church and parish of Saint Nicholas, parsonage and vicarage, with whole profits, liberties and pertinents thereof. AND WE WILL and declare that this present charter is in nowise to be understood as a gift of any additional stipend to the ministers of the said burgh over and above what is at present guaranteed to them by the magistrates and community, but the true intention and meaning of this gift is that the said teinds be applied *pro tanto* in payment of the said stipends to relieve the community and inhabitants of the said burgh from the same stipends, to the value and extent of the said teinds. And we with

dict Burgum de Aberdeen ET ORDINAMUS quod unica Sasina capiendā per dict Præpositum Balivos Consiliarios et Communitatem apud crucem foralem dict Burgi de Aberdeen vel super solo cujusvis partis vel portionis dict terrarum intra dict parochiam Sancti Nicolai per traditionem manipuli Graminis vel Segitis dict terrarum solummodo sine ullo alio symbolo Est et erit valida et sufficiens Sasina pro dict totis et integris decimis Rectorijs et vicarijs pro perpetuo omni tempore futuro absq. necessitate novam Sasinam postea capiendi TENEND et HABEND dict totas et integras Decimas Rectorias et vicarias dict parochiæ quæ jacet in vicecomitatu de Aberdeen dict præposito Balivis Conciliariis et Communitati dict Burgi eorumque Successoribus De nobis nostrisq. Regiis Successoribus in puram Elemosinam pro perpetuo cum libero introitu et exitu ac cum omnibus aliis libertatibus proficuis et commoditatibus ad easdem spectantibus Libere quiete bene et in pace sine ulla revocatione obstaculo aut impedimento quocunq. REDDENDO inde præces Deo Omnipotenti pro nostro et nostrorum Regiorum Successorum felici et prospero Regno Necnon applicando dict decimas in solutionem Stipendiorum pastoribus dict Burgi stabilit et Relevando dict Com-

consent aforesaid unite and annex the said teinds to the said burgh of Aberdeen. AND WE ORDAIN that a single sasine to be taken by the said provost, baillies, councillors and community at the market cross of the said burgh of Aberdeen, or upon the ground of any part or portion of the said lands within the said parish of St. Nicholas, by delivery of a handful of the grass or corn of the said lands only without any other symbol, is and shall be a valid and sufficient sasine for all and whole the said teinds, parsonage and vicarage, for ever in all time to come, without the necessity of taking a new sasine afterwards. TO BE HELD AND HAD all and whole the said teinds, parsonage and vicarage, of the said parish, which lies in the shire of Aberdeen, by the said provost, baillies, councillors and community of the said burgh and their successors, of us and our royal successors, in pure alms for ever, with free ish and entry, and with all other liberties, profits and advantages belonging thereto, freely, quietly, well and in peace, without any revocation, obstacle or hindrance whatsoever. RENDERING therefor prayers to Almighty God for a happy and prosperous reign for us and our royal successors; as also applying the said teinds to pay the stipends guaranteed to the ministers of the said burgh, and relieving the said community and inhabitants from the said stipends to

munitatem et Incolas de dic̃ Stipendiis ad dic̃ decimarum valorem et extantum PRÆTEREA NOS VOLUMUS ET DECLARAMUS quod hæc præsens Carta cuivis personæ seu personis jus seu titulum ad decimas dic̃ parochiæ vel ullius ejusdem partis per assedationem seu aliter haberi nullatenus lædet seu præjudicabit Insuper vicecomiti et Balivis suis de Aberdeen nec non Dilectis nostris

Et vestrum cuilibet conjunctim et divisim vicecomitibus nostris viç de Aberdeen in hac parte specialiter constitut̃ salutem Vobis Præcipimus et mandamus Quatenus Præposito Balivis Conciliariis et Communitati dic̃ Civitatis de Aberdeen nunc præsentibus eorumq̃ Successoribus pro perpetuo omni tempore futuro vel eorum certo Actornato latori præsentium Sasinam Totarum et integrarum Decimarum dic̃ parochialis Ecclesiæ et parochiæ Sancti Nicolai Recteriorum et vicariarum cum integris proficuis libertatibus et pertinentiis earundem (sub declaratione tamen supramentionat̃) Secundum formam et tenorem antedic̃ Cartæ nostræ quam de nobis inde habent unionis annexationis et dispensationis prædic̃ juste haberi faciatis sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim vicecomitibus nostris viç de Aberdeen in hac parte antedic̃ Committimus potestatem In

the value and extent of the said teinds. FURTHER, WE WILL AND DECLARE that this present charter shall in nowise hurt or prejudice any person or persons having right or title by tack or otherwise to the teinds of the said parish or of any part thereof. Moreover, to the sheriff and his baillies of Aberdeen and to our beloved and to each one of you, conjointly and severally, our sheriffs of the shire of Aberdeen, in this part, specially constituted, greeting: We charge and command you without delay to give in due form to the provost, baillies, councillors and community of the said city of Aberdeen for the time being, and their successors for ever in all time to come, or their undoubted attorney bearing these presents, sasine of all and whole the teinds of the said parish church and parish of St. Nicholas, parsonage and vicarage, with whole profits, liberties and pertinents thereof (under, however, the declaration aforesaid), according to the form and tenor of our foresaid charter of union, dispensation and annexation aforesaid, which they have of us thereupon; and this in nowise to omit. For which end we grant power to you and each one of you, conjointly and severally, our sheriffs of the shire of

cujus rei testimonium huic præsentī Cartæ nostræ sigillum nostrum per unionis tractatum custodiendū et in Scotia vice et loco magni Sigilli ejusdem utendū ordinatū appendi mandavimus Testibus prædilecto nostro consanguineo Carolo Comite de Selkirk nobis ab Archivis et Registris clerico et prædilectis nostris Andrea Fletcher de Milntown nostræ Justiciariæ clerico et Roberto Kerr Armigero nostræ cancellariæ directore Apud Aulam Nostram de St. James's decimo sexto die mensis Iunii anno Domini millesimo septingentesimo trigesimo septimo Regniq. nostri anno undecimo

LIV.

GEORGIUS TERTIUS Dei gratia Britanniarum Rex fidei defensor OMNIBUS probis hominibus totius terræ suæ Clericis et Laicis salutem SCIATIS Quod Nos propter favorem quem habemus erga prædilectos nostros Præpositum Balivos Thesaurarium Concilium et Communitatem

Aberdeen in this part aforesaid. In witness whereof we have ordered to be appended to this our present charter our seal ordained by the treaty of Union to be preserved and used in Scotland in stead and in place of the great seal thereof. Witnesses: Our well-beloved cousin, Charles, Earl of Selkirk, clerk of our archives and registers; and our well-beloved Andrew Fletcher of Milntoun, our Justice Clerk; and Robert Kerr, Esquire, Director of our Chancery. At our Court of St. James', on the sixteenth day of the month of June in the year of our Lord one thousand seven hundred and thirty-seven, and of our reign the eleventh.

LIV.

King George III. grants to the Treasurer of Aberdeen, for behoof of the provost, baillies, etc., the right of salmon fishing in the sea adjacent to the burgh lands in Kincardineshire. 1st February, 1804.

GEORGE the THIRD, by the grace of God King of Britain, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE that for the favour which we have towards our well-beloved provost, baillies, treasurer, council and community of the city of

Civitatis de Aberdeen cum speciali avisamento et consensu Roberti Dundas Armigeri curiæ Scaccarii nostræ in hac parte regni nostri Magnæ Britanniæ Scotia vocata Capitalis Baronis Fletcheri Norton Armigeri Domini Joannis Dalrymple Hamilton M^cGill Baronetti Archibaldi Cockburn et Georgii Buchan Hepburn Armigerorum dic^r Scaccarii nostri remanenti Baronum DEDIMUS Concessimus et Disposuimus sicuti nos per præsentem cum avisamento et consensu prædic^r Damus Concedimus et Disponimus et pro Nobis nostrisque regiis successoribus in perpetuum CONFIRMAMUS dicto Thesaurario Civitatis de Aberdeen atque successoribus suis hunc Magistratum gesturis pro commodo dicti Præpositi Balivorum Thesaurarii Concilii et Communitatis dictæ Civitatis et eorum Assignatis hæreditarie et irredimabiliter JUS SALMONUM PISCATIONIS in Mari adjacenti terris in quibus dictus Thesaurarius pro commodo prædicto stat hæreditarie infeodatus et sasitus in Vicecomitatu de Kincardine per Littus Maris jacentibus ATQUE per præsentem specialiter providetur et declaratur quod dic^r Jus Piscationis non extendetur versus septentrionem ultra promontorium voca^r Girdleness nec versus meridiem ultra Lapidem Numero decimo signatum in quadam Ichnographia dic^r terrarum et Littoris Maris in

Aberdeen, with the special advice and consent of Robert Dundas, Esquire, Chief Baron of our Court of Exchequer in that part of our kingdom of Great Britain called Scotland; Fletcher Norton, Esquire; Sir John Dalrymple Hamilton M^cGill, Baronet; Archibald Cockburn and George Buchan Hepburn, Esquires, remanent Barons of our said Exchequer, WE HAVE GIVEN, granted, and disposed, as we by these presents with advice and consent aforesaid do give, grant and dispone, and for us and our royal successors for ever CONFIRM to the said treasurer of the city of Aberdeen, and his successors who shall hold this office, for behoof of the said provost, baillies, treasurer, council and community of the said city, and their assignees, heritably and irredeemably, THE RIGHT OF SALMON FISHING in the sea adjacent to the lands in which the said treasurer stands heritably infeft and seised for the foresaid behoof, lying in the shire of Kincardine along the sea-shore: BUT by these presents it is specially provided and declared that the said right of fishing shall not extend northward beyond the promontory called the Girdleness, nor southward beyond a stone marked with the number ten in a certain plan of said lands and sea-shore lodged in our said Court of Exchequer: WITH

dicta Curia Scaccarii nostra collocata CUM potestate dicto Thesaurario suisque prædictis talibus Cymbis et Retibus utendi quales ad eandem Piscationem aptas fore judicaverint Atque omnes alios cohibendi nequando intra dictos limites piscentur ET NOS volumus et concedimus et pro Nobis nostrisque regiis successoribus decernimus et ordinamus Quod sasina per dic' Thesaurarium suosque prædic' suscipienda nunc et in omni tempore futuro supra Ripas dic' Piscationum per traditionem Retis et Cymbæ est et erit valida et sufficiens Sasina pro dicta Salmonum Piscatione sine usu cujusvis alius symboli Quocirca Nos dispensavimus et per præsentis in perpetuum dispensamus TENEN et HABEN dictam Salmonum Piscationem supra disposi' cum privilegiis prædic' per dic' Thesaurarium suosque prædictos de Nobis regiisque nostris successoribus in libera alba firma feodo et hæreditate in perpetuum REDDENDO INDE ANNUATIM dicto Thesaurario suisque prædictis Nobis nostrisque regiis successoribus summam unius denarii monetæ Scotiæ in Prætorio Municipali de Aberdeen ad terminum Pentecostes annuatim si petatur tantum Et hoc pro omni alio onere exactione demanda seu servitio seculari quæ pro dic' Salmonum Piscatione quovismodo exigi sive imperari potuerint INSUPER Vicecomiti et Balivis suis de Kincardine Necnon dilectis

power to the said treasurer and his forsaids to use such cobbles and nets as they may judge to be fit for the same fishing, and to restrain all others at any time from fishing within the said limits. AND WE will and grant, and for us and our royal successors decern and ordain, that a sasine to be taken by the said treasurer and his foresaids on the banks of the said fishings, by delivery of net and cobbles, now, and in all time coming, is and shall be a valid and sufficient sasine for the said salmon fishing, without the use of any other symbol, wherewith we have dispensed, and by these presents do dispense for ever. TO BE HELD and HAD the said salmon fishing above disposed, with the privileges foresaid, by the said treasurer and his foresaids of us and our royal successors in free blench-farm fee and heritage for ever. PAYING THEREFOR YEARLY the said treasurer and his foresaids to us and our royal successors the sum of one penny of Scots money in the Burgh Court-house of Aberdeen, at the term of Pentecost yearly, if asked only: And this in place of all other burden, exaction, demand or secular service which for the said salmon fishing could be any wise exacted or demanded. MOREOVER, to the

nostris et vestrum cuilibet conjunctim et divisim Vicecomitibus nostris Vicecomitatus de Kincardine in hac parte specialiter constitut' Salutem vobis præcipimus et mandamus Quatenus præfato Thesaurario Civitatis de Aberdeen vel suo certo Actornato latori præsentium atque successoribus suis hunc Magistratum gesturis pro commodo dicti Præpositi Balivorum Thesaurarii Concilii et Communitatis dictæ Civitatis Sasinam præfati Juris Salmonum Piscationis supra deposi' cum privilegiis prædic' secundum formam et tenorem antedictæ Cartæ nostræ quam de Nobis inde habet et dispensationis prædic' juste haberi faciatis sine dilatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim Vicecomitibus nostris Vicecomitatus de Kincardine in hac parte antedic' committimus potestatem IN CUJUS REI TESTIMONIUM huic præsentî Cartæ nostræ Sigillum nostrum per Unionis Tractatum custodiend' et in Scotia vice et loco Magni Sigilli ejusdem utend' ordinat' appendi mandavimus TESTIBUS PRÆDILECTIS nostris Domino Frederico Campbell Nobis ab Archivis et Registris Clerico Davide Rae de Eskgrove Armigero nostræ Justitiariæ Clerico et Domino Jacobo

sheriff and his baillies of Kincardine, as also to our beloved

and any one of you, conjointly and severally, our sheriffs of the shire of Kincardine, in this part specially constituted, greeting: We charge and command you without delay to give in due form to the foresaid treasurer of the city of Aberdeen, or his undoubted attorney bearer of these presents, and his successors holding this office, for behoof of the said provost, baillies, treasurer, council and community of the said city, sasine of the foresaid right of salmon fishing above disposed, with the foresaid privileges, according to the form and tenor of our foresaid charter which he has of us thereupon, and of the foresaid dispensation; and this in nowise to omit. For which end we grant power to you and each one of you, conjointly and severally, our sheriffs of the shire of Kincardine in this part aforesaid. IN WITNESS WHEREOF we have ordered to be appended to this our present charter our seal ordained by the Treaty of Union to be kept and used in Scotland in stead and in place of the great seal thereof. WITNESSES: OUR WELL-BELOVED Lord Frederic Campbell, clerk of our archives and registers, David Rae of Eskgrove, Esquire, our Justice Clerk, and Sir James St. Clair Erskine of

St. Clair Erskine de Sinclair Baronetto nostræ Cancellariæ Directore APUD Aulam nostram de St. James's primo die mensis Februarii Anno Domini millesimo octingentesimo et quarto regnique nostri anno quadragesimo quarto

Sinclair, Baronet, Director of our Chancery. At our Court of St. James's, the first day of the month of February in the year of our Lord one thousand eight hundred and four, and of our reign the forty-fourth.

PART II.

ACTS OF PARLIAMENT

AND OF

PRIVY COUNCIL

ACTS OF PARLIAMENT AND PRIVY COUNCIL.

I.

The Parliament appoint the Lords of Session to sit annually at Aberdeen. 6th March, 1457.

INPRIMIS as to þe artikill of the Sessione it is seyne speidfull to þe king ande þe thre estatē þ^t it be cōtynuit to þe nixt þliamēt in man^h as eft folowys That is to say þe lordē of the Sessione sall syt thrys^o in þe 3^{er} ilk time xi dais in þir thre placē Edinburghe perthe and abyrdene The nowm of þe þsōis þt sall sit salbe ix haifande power and votis in þe deliūdance of caus^o of ilke Estate thre and þe clerk of þe Reges^o The Sessione nowe nixt to begin ʔ be haldin at abirdene þe xv day of Junij and cōtinuande xl dais The secunde Sessione to begyne at perthe þ^{er} eft þe v day of october and cōtinew vþ^o xl dais The thrīde Sessione to begyn in Edinburghe þe xiiij day of februarē next þ^{er} eft and q^utinew xl dais The lordē þ^t ar chosyne to þe first Sessione in abyrdene ar þir The Bischope of Ros^o catnes^o or m^rray þ abbot of de^r dene Dauid bane and maist^r walt^r ydyll for þe clergy. þe Erle of Errole þe lorde glāmys ande þe lord forbes^o for þe baronys Jhone of fyffe Andro mēȝeis and walt^r thomsone of Inūnes for þe burowys

II.

The Parliament appoint the measure of Hamburg, after the old assise of Aberdeen, to be the standard barrel for fish. 1st June, 1478.

Item becaus^o It is hevili m^rm^rrit ʔ þ Realme gretly skland^o it be strangerē ʔ vþ^o is þ^t byis salmond of þe mynising of vesschiaft ʔ barellis þ^t þe salmond Is pakit In It is statut ʔ ordanit þ^t i time to cū all salmonde be pakit i barellis of þ measu^r of hamburgh eft þe ald assise of Abirdene And na smalla^r barell no^r vescheff And þt na coup within þe Realme mak smalla^r barell to pak fische i þā þe said measu^r of

hamburgh ⁊ ald assise of aberdene And gif ony dois i þe cōtraf of þ's
In time to cū þe first sellar þ' sellis þe fische of fals⁹ paking i sic small
barellis sall tyne þe fische And be ouf solai lordē escaete And þt þe
kingē custumarē salbe sercheorē hefuppoñ i Ilk tovene And als⁹ It salbe
a poynt of ditta* i tyme to cū

III.

*The Privy Council ordain the provost, baillies, etc., to uphold the Friars' Pleas
for the common good of the burgh. 15th February, 1561.*

Mairour hir Hienes, be the avyse of hir Counsale foirsaid, hes statute
and ordanit that all annuellis, males and dewiteis within fre burrowis
or utheris townis of this realme, alsweill pertenyng to chapellanreis,
prebendaris as to freris, togidder with the rentis of the freris landis
quhairvir thai be, setting and disponyng thairupoun, be intromettit
with and takin up be sik as hir Grace sall depute thairto, for employing
of the same be hir Hienes to hospitaliteis, scolis, and utheris godlie
uses as sall seme best be hir Hienes, be the avyse of hir Counsale :
And knowing that nathing is mair commodious for the said hospitalitie,
nor the places of freris, as jit standand undemolissit, as als to the inter-
tenyng of scolis, collegis, and utheris usis foirsaidis, ordanis the Provest
and Baillies of Abirdene, Elgin in Murray, Invernes, Glasgow, and
utheris burrowis of this realme quhair the samyn ar nocht demolissit,
to interteny and uphald the saidis freris places standand in the saidis
townis, upon the commone gudis thairof, and to use the samyn to the
commone weill and service of the saidis townis, ay and quhill the
Quenis Majestie be forther avysit, and tak finale ordour in sic thingis ;
nochtwithstanding ony uther gift, title, or interes, gevin to quhatsumevir
personis of the saidis places, with thair yardis, orchardis, and pertinentis,
be our Soverane Lady of befoir.

IV.

*The Privy Council absolve the community for any acts done under the ascendancy of
Huntyly. 12th July, 1569.*

At Abirdene the xii day of Iulii the 3eir of God j^mv^lix 3eris, my
Lord Regentis Grace commandit and ordanit the lètre and discharge

* Dittay, the ground of indictment.

following, subscrivit with his hand, to be insert and registrat in the bukis of Secreit Counsale ad perpetuam rei memoriam, of the quhilk the tennour followis :—We havand consideratioun of the proceedingis of the burgessis and inhabitantis of the burgh of Abirdene, anent the assisting, contributioun, and stent making in tyme bipast, with George Erll of Huntly, and his complices partakaris, contrair our Soverane Lordis authoritie, understanding the samyn done be feir and compulsion, thair gude mynd and will beand to the trew service of our Soverane. Thairfoir we, with avise of the Lords of Secreit Counsale, dischargeis for ewir all actioun and cryme that ony wayis may be imput to the burgessis of the said burgh, and indwellaris in the samyn, and all our Soveranis officiaris present and to cum, of all proceeding contrair thame twicheing the premissis ; always at thir presentis extend nocht nor comprehend the burgessis and indwellaris of the same burgh that hes acceptit compositionitur for the samyn crymes, nor jit the personis that ar summond or to be summond for fals cryme at ony tyme ; and thir presentis to be insert in the bukis of Secreit Counsall in forme of Act, with extension necessar. Subscrivit with our hand at Abirdene the xii day of Iuli the 3^{er} of God j^{er}xlxi^{er} j^{er}is.

V.

The Privy Council issue injunctions to the provost, baillies, etc., in furtherance of the principles of the Reformation. 18th August, 1574.

The quhilk day comperit Gilbert Meinzeis of Cowlie, Maister Patrik Rutherfurde, Maister George Middiltoun, and Alexander Chalmer, Baillies of Aberdene, quhilkis uer admoneist be my Lord Regentis Grace in presence of the Lordis of Secreit Counsall, in maner and to the effect following :—

That thay suld inhibite and expreslie punishe the superstitious keping of festuall dayis usit of befoir in tyme of ignorance and papistrie, and all playis and feisting at thay tymes.

That thai punishe the blasphemaris and abusaris of Godis name, and appoint sum honest and godlie personis to note the offendouris, lifting the panys contenit in the Acts of Parliament, and apprehend the same according thairto.

That thai permitt na mercat to be kepit uithin the toun nor fredome

thairof upoun the Sabbath day, quhairby the people may be withdrawin fra the serving of God, under the pane of escheting of the guidis that salbe presentit to the saidis mercattis, conforme to the Act of Parliament maid thairanent; gevand, grantand, and committand to the saidis Provost and Baillies commissioun, power, and charge sa to do, as thai will answer upoun thair obedience.

That the persounis knawin and suspectit to haif and keip ymagerie or utheris monumentis of ydolatrie be chargeit to present the same.

That the organis with all expeditioun be removed out of the kirk, and maid profite of to the use and support of the pure, and that the preystis stallis and bakkis of altaris be removed furth of the places quhair thai now remane, and situat in the partis of the kirk quhair men may be best easit be thame to heir the sermonis, and sic thingis as servis not for that use to be utherwyise disponit or maid money of.

That the pure be not defraudit of the almus collectit at the kirk dur, bot the same to be distributit as is the custum in the utheris reformit kirkis of this realme; and that thair be contributioun maid be all the parochynaris for leting and reparatioun of the parochie kirk, according to the Act of Parliament maid thairanent, quhairanent ordanis the Provost and Baillies to do diligence.

That the haille place, alsweill kirk as the rest, sumtyme pertening to the Gray Freiris—except samekle as is thocht requisite for the ludgeing of the pure—be roupit to the maist avale, and sett in few heretabillie to sic as will gif maist jeirlie dewitie thairfore, and the same to be fully applyit to the use and sustentatioun of the pure.

That the Provost and Baillies in thair awin houssis tak cair upoun the godlie rewilling thairof, and admonishe all utheris thair nichtbouris to do the like, and that thai cullour nor foster not the vices and slaunderis of thair tenentis and houshald servandis, bot further the correctioun of thaim as thai sal happin to offend, ather be ordour of the kirk or the magistrattis, as the cause requyris.

That the Provost, Baillies, and Counsall of Abirdene uptak fra Iames Leslie, present possessour of the croft and myre pertening to the lipper-folk betwix New and Auld Aberdene, the jeirlie dewitie thairof, off the fyve jeiris bigane confessit awand be him; and thairwith and sic uther collectioun as may be had, to caus the said hous be theikkit and reparit

for the ressett of the said lipperfolk in tyme cuming ; and efter the end of the ane 3eiris tak now clamyt be the said Iames Leslie, to caus rowp the said croft and myre quha will gif maist 3eirly dewitie thairfore fra thre 3eir to thre 3eir, and to caus the haill proffite that may be had thairof be employit upoun the uphalding of the said hous and sustenta-tioun of the lipperfolkis that salbe thairin.

VI.

The Privy Council approve a bond or obligation to loyalty and good service presented by the community of Aberdeen. 31st August, 1574.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Privie Counsall, comperit Maister Robert Lummsiden in name of the Provost Baillies and Communitie of the Burgh of Abirdene and gaif in this bond and obligatioun underwritin,—subscrivit be Mr. Iohne Kennedy commoun clerk of the said burgh, and under the commoun seill of the samyn,—and desyrit the samyn to be actit and registrat in the buikis of Secreit Counsall, to have the force and strenth of ane act and decreit of the Lordis thairof in tyme cuming, and letters and executoriallis to be direct thairupoun in forme as efferis ; quhilk desyre my Lord Regentis Grace finding ressonable, ordanit the same to be insert and registrat in the saidis buikis to the effect foirsaid, off quhilk the tennour followis : Be it kend till all men be thir present letters,—We, the Provest, Baillies, Counsall, and Communitie of Abirdene, to be bundin and oblist, and be the faith and treuth in oure bodyis faithfullie bindis and oblissis us, to the richt excellent, richt heich and michtie Prince Iames the Sext, be the grace of God King of Scottis, our Soverane Lord and his richt traist cousing Iames Erll of Mortoun Lord of Dalkeith Regent to his Hienes, his realme and liegis ; that forsamekle as for the removing of the lait publict troublis and civile weir quhairwith this realme wes sa lang grevit and inquietit to the displeasure of Almichtie God, the danger of his trew religioun, hurt and prejudice of our Soverane Lord and haill commoun of this realme,—the said Lord Regent hes brocht to pas and concludit ane gude and godlie Pacificatioun, thairby—for publict quietnes caus ; remitting not only greit and haynous crymes and offences to the personis properlie comprehendit in the said Pacificatioun, bot to divers

utheris, quhilkis notwithstanding the same micht justlie have been punist with rigour and extremitie ; for quhilk favour and clemencie ressavit be us amangis utheris, we sall in all tyme cuming continew faithfull and obedient subjectis to our Soverane Lord, his auctoritie and Regent foirsaid, and sall never know of ony tressoun, rebelloun, skaith or danger, to be conspirit attemptit or interprisit aganis the same within or without this realme, quhilk we sall not reveill to his Hienes and his said Regent with all possibill diligence, and tak, apprehend and present all suspect persounis and writtingis, cuming in the realme or intending to depart thairfra be our port, in tyme cuming ; and als that we sall na wyis resett, supple, assist, fortifie, schaw favour or mantene, ony of our Soverane Lordis present declarit tratouris and notorius rebellis, or utheris strangearis or borne subjectis of the realme that heirefter sall happin to conspire, usurp and rebell aganis his Hienes, his said Regent and auctoritie, bot sall resist and repres thame to our utter power ; and gif we be not abill to withstand thair force and invasioun, we sall remove our selffis, our famileis and guidis furth of the said burgh to the partis of the realme than abyding in our Soverane Lordis obedience, and concur with his faithfull liegis, to the defence and preservatioun of his estait and auctoritie ; quhairthrow the saidis declarit tratouris, rebellis, conspiratouris, and tribularis of the common weill, strangearis or utheris, sall not be aidit, suppleit, furnesit, harbureit or intertenit be us nor our moyen, or voluntary be our guidis, directlie or indirectlie. And in like maner that we sall on na wyis elect or admitt ony persoun or personis to the offices of Provestrie, Baillierie, Thesaurarie, Denerie of Gild, Commoun Clerkschip, or to be of the Counsall of the said Burgh at the Feist of Michael—Michaelmes nix to cum—or thairefter in tyme cuming, bot sic personis as ar knawin zealous professouris of the trew and Christiane religioun, now publictly precheit and be law establishit within this realme, and that hes bene and is knawin to be ernist and affectionat weilwillaris to the advancement and furthsetting of his Hienes auctoritie and service, as we sall answer to God and his Hienes upoun our allegiance and dewitie—under the pane of twentie thowsand pundis to be pait be us to his Majesties use, and tinsall of the fredome of the said Burgh for us and our successouris perpetuallie. And attour we are content and consentis that this our

band and obligatioun be actit and registrat in the buikis of our Soverane Lordis Previe Counsall and Sessioun, or ather of thame to have the strenth of ane Act, and decreit of the Lordis thair of, and that letters and executorialis be direct thairupoun in forme as efferis. In witnes of the quhilk thing, to this our present band, promise and obligatioun subscrivit be our commoun clerk at command, the commoun seill of our said Burgh is to be hungin, at the same Burgh the last day of August; the 3eir of God j^mv^c threscoir and fourtene 3eiris. Sic subscribitur: Ita est Magister Joannes Kennedy notarius publicus ac scriba burgi de Aberdene de mandato Prepositi, Ballivorum, Consulum, et Communitatis ejusdem burgi manu propria.

VII.

The Burgh's obligation to build a Hospital is recorded in the Register of Privy Council. 3rd September, 1574.

Be it kend till all men be thir present letters, We, the Provost, Baillies, Counsale, and communitie of the burgh of Abirdene; that forsamekill as oure Soverane Lord, with avise and consent of his rycht traist cousing, James Erll of Mortoun, Lord of Dalkeyth, Regent to his Hienes, his realme and liegis,—considering our proceedingis in the resetting, assisting, contributioun and stent making with George Erll of Huntlie, Adam Gordoun of Auchindoun his broder, thair complices, tenentis, servandis, dependentis and partakaris during the tyme of the lait rebellious and conspiracy aganis his Hienes and his autoritie, being of mynd for publict quietnes caus, to reduce all his Hienes subjectis to his full obedience respecting oure humble offeris faythfullie to continew in our dewitifull obedience, loyaltie and trew service to his Hienes and his autoritie in tyme cuming as oure band and obligatioun to that effect deliverit to my Lord Regentis Grace beris; and for certane compositioun hes dischargeit us for evir all actioun and cryme that may onywayis be imput to us for the caussis and crymes abouewrittin, as in the discharge thairupoun at mair lenth is expressit; of quhilk compositioun my Lord Regentis Grace of his mere favour and clemency, and in respect of oure trew service to be maid in tyme cuming hes frelie dischargeit to us the sowme of ane thowsand markis, and als hes

grantit ane uther thowsand markis of our said compositioun to the bigging and reparatioun of ane Hospitall within our said burgh for the harbring and ressett of the puyr and impotent personis of the same; thairfoir to be bundin and obleist, and be the tennour heirop faythfullie bindis and obleissis us and oure successouris, to bestow and employ the said sowme of ane thowsand markis money foirsaid upoun the bigging and reparatioun of the said Hospitall within our said burgh, within the space of fyve 3eris eftir the dait heirop; quhilk we sall demonstrat and mak cleirly knawin be true compt to oure Soverane Lord and his Regent at the end of the saidis fyve 3eris, but farder delay, fraude or gyle; and heirto we bind and obleissis us, as said is, in the stratest forme and sickir style of obligatioun that can be devisit or maid,—na remeid nor exceptioun of law to be proponit or allegeit in the contrair, renunceand the same for us and oure successouris for evir; and ar content and consentis that this obligatioun be actit and registrat in the bukis of Previe Counsale to have the strenth of ane Act and decreit of the Lordis thairof, and that letteris and executoriallis be direct thairupoun in forme as efferis: In witnes of the quhilk thing we have causit our commoun clerk be our commoun vote and consent subscribe this our band and obligatioun at the said burgh of Abirdene, the thrid day of September the 3eir of God j^mv^clxxiiii 3eris, and alsua our commoun seill is affixt to the same. Sic subscribitur. Ita est Magister Joannes Kennedy notarius publicus ac scriba burgi de Abirdene de mandato Prepositi Ballivorum Consulum ac Communitatis dicti burgi teste manu propria subscripsit.

VIII.

The Parliament appoint the Lords of Session to sit at Aberdeen. 6th December, 1577.

Item for mantenyng of Justice, halding of þis realme in peax and tranquillitie and vnder obedience Necessy^r it wer ane sessioun to be sett done in Abirdene to þe nombre of sex lordē w^t ane president and to assigne and limitat certaine boundē to þat sessioun And gif Abirdene be not maist convenient ony vþer place within þis realme quhair necessitie requiris maist Sua tua saitis may be made for þe furtherance of Justice within þis realme.

IX.

The Privy Council revoke a right to fishings in Don in an infestment obtained during the King's minority by George Auchinleck of Balmanno. 22nd June, 1580.

Anent the supplicatioun pñtit to the kingis maiestie and lordis of secreit counsale be the prouest counsale and cōmunitie of the bur^t of Aberdene Makand mentioun That quhair his hienes progenitor king Robert of gude memorie quha restis w^t god sumtyme beand wⁱⁿ the said bur^t persaving the barrennes and sterilitie of the cuntrie quhair the said bur^t is situat and the gret honestie p^rof Togidder w^t the fervent lufe schawin be thame to his hienes and his progenitor^e then and at all tymes of befor Considdering alsua thair bauld manheid in the Recouring and distroying of the strong castell biggit and mantenit thair be the englis-men sumtyme for danting and suppressing of the bur^t and cuntrie Vpoun thir respectis dotit the said bur^t and cōmunitie p^rof of his bountifull liberalitie and clemencie with certaine cōmoditeis liberteis and immvniteis for the ayd and support of the same And namelie with ane pece ground callit the stokkat adiacent to the bur^t and the salmound fischeinge of the same bur^t vpoun the wattris of dey and done for 3eirlie paiment to his grace and his successor^e of thre hundreth and tuentie m⁹kis vsuale money of this Realme in name of feufferme as thair infestment thair of proportis * According to the quhilk they and thair predi-cesso^re hes peciabilie brukkit and joisit the saidis salmound fischeingis of the same bur^t continewallie sen the obtenig of thair said infestment without impediment or molestatioun of any persoun Q^u laitlie within thir five 3eiris lastbipast that george auchinlek of balmanno havand the lande of polgony and murto^r liand contigue to the salmound fischeingis of Done on the north and nor^eist side of the said^e fischeinge purchest ane pñdit new infestment of the saidis land^e including thairin salmound fischeing per modū de nouo damus qlk he nor his predicesso^re neur had in ony infestment befor Bot maist wranguslie purchest and gevin be his moder broder the erll of mortoun then being Regent of his hienes Realme and liegis not onlie to the gret dampnage and detriment of his hienes the cōmunitie forsaid and thair posteritie Bot alsua to the gret

* See No. VIII., p. 12.

preiudice of his ma^{tes} 3eirlie reueneu and patrimony of his Croun. In sa far for the said prouest counsale and cōmvniteis p^t that gif the said george be sufferit to cum in possessioun (in the qlk as 3it he neuir cam) of the said new pñdit conquiest of the said fischeing Thay and thair successo^re will be debarrit and stoppit fra all salmound fischeing on that wattir in all tymes cūing in respect he pñdis his said new fischeing to be betwix thame and the sea and in the sey forganis the watter mouth of Done thair scarring and debarring of the salmound fischis wth cobillis arns and nettis stopping thame to entir in the wattir and thairby chaissing of thame agane in the mayne sey to the saidē prouest counsale and cōmvniteis vtter heirschip and wrak seing that without the industrie and cōmoditie of salmound na bur^t nor inhabitant of bur^t culd weill be thair bot desert solitude And as concerning his hienes p^t in preiudice of his patrimony they can not be abill to pay the 3eirlie feuferme of thre hundreth and tuentie m^lke to his hienes gif they inlaik the cōmoditie q^rfoir the same is payit mairouir his ma^{tes} will inlaik the 3eirlie dewitie and custume of the salmound fische qlk now is payit 3eirlie gif the salmound be not takin bot stayit and impeidit be the impediment foirsaid For the maist speciall dewitie and custume of the said bur^t consistis in the custume of salmound 3eirlie as the cheker comptis testifies Sua ar they not onlie hurt and dampnifiit be this new infestment of the nouo damus Bot alsua his hienes patrimony is and wilbe meikle hurt þ^rby Humilie thairfoir desyiring oure souerane lord that for releiff of his awin conscience Redres of the saidē prouest counsale and cōmvntie and reteiñg his ma^{tes} awin richt and 3eirlie rent that his hienes wald prouide remeid heirto be reuoking of the said pñdit new infestment of de nouo damus for the ȝausse foirsaidē lykeas at mair lenth is contenit in the said supplicatioun Quhilk being red sene and considderit be his ma^{tes} and lordis of secreit counsale and they having respect not onlie to the scaith sustenit be the saidē prouest counsale and cōmvntie be granting of the said new infestment of the saidē fischeingis Bot alsua that his hienes is and wilbe gretlie preiudgit þ^rby respectand thairw^hall the cōmoditie that sall redound to his ma^{tes} selff be making of the said reuocatioun Hes thairfoir eftir mature aduise and deliberatioun Reuoikit cassit annullit and dischairgit lyke as his maiestie be thir pñtis with auise of the Lordis of his secreit counsale Reuoikis cassis annullis and dischairgis the said new infestment of de nouo damus sa far as the sa^m extendis or may extend

to the saidȝ fischeingis allanerlie as gevin to the said george in his ma^{is} minoritie not onlie to the scaith of the saidȝ prouest counsale and cōmunitie Bot alsua to the gret hurt of his hienes awin ȝeirlie rent Declairand the sam̃ w'hall that followis or may follow thairvpoun tuicheing the said fischeingis to haue bene fra the begȳning and to be in all tyme cūing of nane avail force nor effect in judgement or outwith q̃eur the samin beis product

X.

The Parliament appoint the provost and baillies justices for the waters of Dee and Don. 29th November, 1581.

Oure Souerane Lord, and thre estatīs of this present parliament, Ratefeis and appreis all actīs maid be his hines, and his maist noble progenitouris, anent þe distructioun of cruuis and ȝaris, slauchter of reid fische, smoltis, and þe fry of all fisches. And ordains the samȳ to haue effect and executioun in time cūing. And becaus it is vnderstand to his hines and his saidis thre estatīs, That albeit panes and trauellis wes tane to cast done and distroy the saidis cruuis and ȝaris, ȝit in default of the execusioun of þe panis cōtenit in the saidis actīs vpoun the contravenaris þairof, The saidis cruuis and ȝaris ar not haldin down nor onie vþir thing in effect (appointit to be done in the saidis actīs) put in executioun throw þe defalt, and negligence of þe ordinar officiāris, To quhome þe executioun thairof wes q̃mittit. Thairfoir oure Souerane Lord wth aduise of his saidis thre estatīs hes maid q̃stitute and ordanit, and be the tenoure of this present Act, makis constitutis and ordanis the personis efter specifeit w^{thin} þe boundis particularlie followand his hines Justices in that pairt, To þe effect vnderwrittin: They are to say . . . The schiref of abirdene and his deputis, and þe provest and bailleis of abirdene for the watterris of dee and done . . . Gevand, grantand and cōmittand to þe saidis Justices, in þat pairt, cōiunclic, and seueralie wⁱⁿ þe boundis particularlie aboue written full power Speciall cōmand, expres bidding and charge: To Inquire and tak vp dittay of all persounis, contraveneris of the saidis actīs of parliament, w^{thin} the boundis Particularlie aboue-written, alsweill þe principall offenderis, as thair maisteris, landislordis ? resettaris, and to call thame to vnderly þe law, Thairfoir in þe tolbuy^t of the heid burgh of euerie schire, or vþir place cōuenient at

þe discretioun of þe saidis Justices, and put thame to þe knowlege of ane assyse, As they be fundin culpabill or Innocent to minister iustice vpoun thame conform to þe lawes of þis Realme. The panes cōtenit in the saidis actis, to rais and vplift, and of þe samyn to mak compt^o, Reknȳg and payment to oure souerane lord, and his hines thesaurair in his chekker. And to þe effect, That þe executioun of the saidis actis sall no^t be neglectit as in tymes bypast. Ordanis twa ordiner iustice courtis to be halden ȝeirlie, The ane the first day of februar, and þe vþir at þe first day of [August], or þe nixt lawfull dayis thair-
 efter following besyde vþir cowrtis to be haldin at vþir dayis, quhen occasioun seruís at þe discretioun of þe saidis iustices. And in cais þe saidis iustices or onie of thame failȝe in doing thair exac diligence for executioun of þis present Cōmissioun at twa tymes euerie ȝeir as said is, being callit and convic thairfoir befoir o^r Souerane lordȝ iustice principall or his deputis at þe instance of [his] hines aduocat. Euerie ane of thame sall incur þe pane of twa hundre^t pundis to be vpliftit of thame be his hines thesaurair, to his maiesteis vse. Be it alwayis vnderstand, That þis present act^o nor nathing thairin contenit, salbe preiudiciall to his hines subiectis, being dewlie infest and in possessioun of halding of cruuis, lynis or loupis wⁱⁿ fresche watteris, Bot that they may vse, Jois, bruik, and occupy þe same in tyme cūing, according to þair richtis, kepand þe setterdayis slop and sic distance betwix euerie hek, as þe actis of pliament appoyntis. And in cais they failze þ^oin to be accusabill and suffer punischment, as the remanent transgressouris of þe saidis actis.

XI.

The Parliament ratify the revocation of the grant to George Auchinleck. 29th November, 1581.*

Forsamekill as Anent the supplicatioun geiviñ in be the prowest baillies counsale and cōmwnitie of the burgh of aberdene to the kingis ma^{tie} and thrie estatis of parliament Makand mentioun, That quhare wpoun thair supplicatioun presentit to his hienes and lordis of secreit counsale At dūnottir þe xxij day of Junij the ȝeir of god

* See No. IX., p. 237.

v^e and fourescoir ȝeiris declaring how his mat^{ies} predecessoures hade dotit the said burgh w^t certane Cōmodeteis liberteis and Immuneteis for the support of the continewance thair of namelie w^t ane pece of ground callit the stokkat adiacent to the said burgh and w^t the Salmond fischeingis of the samȳ burgh wpouñ the watteris of die and done for ȝeirlie payment of thrie hundreth and twentie m^{kis} money of this realme to be payit in name of fewferme to his hienes and his successo^{re} And how that thay hade bene trublit in bruiking of þair saidis fischeingis be ane pretendit infestment purchest be george Auchinlek of balmāno In the tyme of the regentrie of vmq^{le} James erte of mortouñ mother brother to the said george fra o^r said souerane lord w^t consent of the said vmq^{le} erte of þe landis of polgonye and mvrto^r lyand Contigue to the said Salmond fischeingis of done And including in the said pretendit infestment Salmond fischeingis be ane claus (de nouo damus) ȳc^o ins^t thairin Cautelouslie to questiouñ the saidis complenaris auld infestment and possessiouñ of thair saidis fischeingis bruikit and possessit be thame of before but impediment señ thair first obtenig thair of And thairbye tending nocht onlie to preiuge thame of thair saidis fischeingis and former ry^t þ^o of foirsaid Bot als to tak fra o^r said souerane lord and his successoures the patremonie of the few maill foirsaid of the saidis fischeingis and to demineis and stay the samȳ and ȝeirlie customes of salmond fischeis takin and to be takin wⁱⁿ the saidis fischeingis being the maist speciall dewtie of the said burgh detbund to be payit ȝeirlie to o^r said souerane lord and successoures testefeit be the chaker comptis Quhairwpouñ and for vtheris gude ressones rehersit in the said supplicatiouñ It thañ plesit o^r said souerane lord being at dunottir as said is To revoik ca^s ānull and discharge w^t aduise of the lordis of his hienes secreit counsale thañ present the said pretendit new infestment of de nouo damus ȳc^o safar as the Samȳ extendis or may extend to the saidis fischeingis allanerlie as gewin to the said george in his hienes minoritie no^t onlie to thair skaith Bot als to the greit hurt of his maiesteis awin ȝeirlie rent declaring the samȳ w^t all that followit or may follow þ^o wpoun tuiching the saidis fischeingis to haue bene fra the begynig And to be in all time cūmig of nane awaill force nor effect^o in iugement or outw^t quhare-euir the samȳ beis producit As ane decreit and act^o of secreit Counsale of

the dait foirsaid heir pñt to schaw at mair lenth proportis And als at halyruidhous the xxiiij day of Januar last bipast o' said souerane lord wth aduise of the lordis of secreit counsall foirsaid thā qvenit Ratefeit and apprewit the said reuocatioun and act^o of secreit Counsale maid pairwpoun in all effectis respectis and conditiones expressit thairin And als thañ of new Revoikit cassit ānullit and dischargit the said new pretendit infestmēt (de nouo damus) 7c^o Sa far as the samy extendis or may extend to the saidis fischingis In maner at lenth abouewrittin And atto' thā Ordanit the saidis Reuocationes and approbatioun to be ratefeit in his hienes nixt parliament w^t new reuocatioun gif neid beis thā to be maid thairin in corroboratioun of the saidis complenaris ry^t and securetie and his hienes Cōmodetie of the few maill foirsaid As ane act^o and decreit of secreit Counsale maid p^oanent including the said former act^o off the dait At halyruidhous the said xxiiij day of Januar last bipast heir radye to schaw at mair lenth dois testefie Desyryng maist humblie thairfore o' said souerane lord and thrie estatis foirsaidis to sie and consider the saidis former actis of Reuocatioun and haill contentis thairof And in respect^o of the samy and ressonable causs thairin expressit That his hienes of new in this pñt parliament wth aduise of the saidis estatis wuld revoik casy ānull and discharge the said pretendit new infestment gewin be dispositioun and claus (de nouo damus 7c^o) To the said george Auchinlek aud vtheris thairin contentit of quhatsumel dait the samy be Sa far as the samy extendis or may extend to the saidis fischeingis allanerlie as gewin to the said george and vtheris p^oin nominat^o In his hienes minoritie No' onlie to the skaith and detriment of the said bur' Cōmodeteis and priuilegis p^oof Bot als to the greit hurt of his mat^{ies} 3eirlie rent And to declare the Samy now as of before w^t all that hes followit or may follow p^owpoun tuiching the said fischeing To haue bene fra the begynig and to be In all tyme cūmig null and of nane awaill force strenth nor effect^o in Jugemēt nor outw^t quhaireu the samy hes bene or beis producit and schawin At at mair lenth In qtenit in the said supplicatioun Qthk being sene and considerit first be the lordis of articles And thairefter be the kingis g and estatis. OURE SAID SOUERANE LORD w^t aduise of the saidis thrie estatis of this pñt parliamēt REVOIKIS casy ānullis and discharges the said

pretendit new infestment gewiñ be dispositioun and claus (de nouo damus &c^o) to the said george auchinlek and vtheris thairin contentit of quhatsumei dait the samy be Sa far as the samy extendis or may extend to the saidis fischeingis allanerlie As gewin to the said george and vtheris þ^oin nominat^o In o^r said souerane lordis minoritie no^t onlie to his hienes skaith and detrement of the said burgh But als to the greit hurt of his mat^{ies} awin jeirlie Rent And thairfore Decernis And declaris the samy now as of before with all that hes followit or may follow thairwpouñ Tuiching the saidis fischingis To haue bene fra the begynig And to be in all tyme cūmig null & of nane awaill force strenth nor effect^o In Jugement nor outw^t quhairē the samy hes bene or beis productit and schawiñ, And ordanes lres of publicatioun to be direct^o heirvpouñ gif neid beis in forme as efferis.

XII.

The Parliament appoint a just standard for salmon to be kept at Aberdeen. 22nd May, 1584.

Item our Souerane lord with auise of the thrie estatis of þis present Parliament Ratefjs and appreis all and syndrie [actis and] statutis maid be his hienes and his predicessouris concerning the measure of salmound, hering and quheit fish: gageing, burning, and measuring thairof, And to þe effect the saidis Actis may be the better kept, And for eschewing of defraud of the saidis measuris, and of fals and vniust paking of salmound, hering and quhit fish, quhilke is mekle vsit be vnfremen, fisharis and vtheris slayaris of þe said fische to þe great hurt of [the fremen], burgess, and merchandis and haill cōmoun weill of þis realme Thairfoir it is statute and ordinit That thair be ane iust measure and standert for the salmound maid be þe burrowis conforme to þe auld actis of parliament, and the samyn to remane at þe burgh of Aberdene. And siclike that thair be ane iust standert and measure for hering and quheit fish, quhilke salbe brint, and remane in the keping of þe provest and baillies off Edinburgh. And that all salmound treis hering treis, and quhiet fish treis vniuersallie throw the realme Salbe of the þe measure and gage foirsaid. And that ilk burgh sall ressaue ane patroun of þe gage and measure foirsaid, and sall caus thair cowparis within thair boundis to mak thair treis con-

forme to þe said measure and þe same to be brint be þe toune Irne and cowparis Irne on baith þe endis, and vpoun þe stop beside the bung. And incace ony salmound, hering or quheit fish be pakit in vther treis nor of þe iust gage fairsaid, brint and markit as said is, The samyn salbe escheat to our souerane lord, And ordinis the principall stapill of salmound fra die northe to be at þe burghis of Aberdene and Elgine, And the principall stapill of hering and quheit fish slane be the Inhabitantis within the watter of forthe to be in leithe within þe priuilege and fredome of þe burgh of Edinburgh and within the port and hevin of Creill, And the stapill of salmound hering and quheit fish slane benorthe fyvisness⁹ to þe watter of die. To be at dundie or perth. And that þe saidis proveist and baillies of Edinburgh Aberdene, Craill, Elgine perthe and dundie sall appoint ane discrete man to be visito^r, wraker, gagear and birnar of the saidis treis, and appoint to him ane ressounable duetie [of] ilk last thairof for his lawbouris, That all vnfremen, fisharis and slayeris of hering and quhytfish duelland within [the boundis of] the watter of forthe on baithe þe syidis to þe watter mouth of Tay bring thair hering and quheit fishe to be slane be thame in tyme cūming to þe portis of leithe or Craill. And at þe west syid to Air and dumbritane deuidand þe boundis betuix and þe clochestane, thair to be gageit, markit and sawld to þe frie burgessy of þis realme. And that na fisharis or vtheris vnfremen sell thair said hering or quheit fishe to ony strangeairis or vnfremen or carie the same furth of this realme to ony vther cuntreis to be sauld be thame selffis vnder the pane of eschaeting of all thair movable guidis, The ane half to o^r souerane lordis vse, and the vþer half to. þe burrowis quha Sall qvict thame be vertew of thair Commissionis.

XIII.

*The Parliament grant a tax for the upkeping of the Bridge of Don.
29th July, 1587.*

Anent the supplicatioun gevin in to o^r souerane lord and thre estaittis of this pñt parliament be þe prouest baillies counsall and cōmunitie of the burgh of Aberdene Makand mētioun That quhair o^r souerane lordis maist noble progenitouris considering the guid

fruite done at all tymes be þe said burgh dotit the samī w^t diuersy cōmodities liberties and Immvnties for þe aid and support þairof qlk þai haue broukit in all tymes bigane And be ressone of þe barrennes and sterilitie of þe cuntrie quhair þe said burgh is situat þair is na fertilitie of cornis nor victuallis growand about þe said burgh Nor ȝit within ten or tuelf mylis distant þ^ofra bot sic as growis in the cuntries of buchane and gareoch and vþeris be north the said burgh qlk^e cūis resortis and repairs to þe said burgh be þe brig of done qlk is þe onlie passage and way that þe haill furnessing of þe victuallis repairing of merchandis cuntriemen and vþeris strangeris to þe said burgh and vþeris pairtis tounis and cuntries be south þe said toun of Aberdene is maid be þe brig of done being tua mylis distant fra the said burgh ȝit neuirtheles being now fast decaying and þe north end þairof alreddie fallin doun quhairthrow þe rest of þe samyñ is likelie to fall suddenlie lyk as present liein tyme of windie and tempestuus weather na man is liable to travell þairoñ nather on fute nor hors; The qlk decay and rewine of þe said brig as þe samī wilbe maist dānabill to þe haill baronis gētilmen and vtheris o^r souerane lordis lieges duelland in þe north pairtis and in vse to frequēt to þe said burgh for selling of þ^o victuallis and vther traffick of merchandice as also to all sic as duellis be north þe same in all countries cūing and resorting to the south pairtis of the realm sua will þe samī tend to þe wrak and destructioun of þe said burgh gif þe same be not preventit be sum solide and substantious ordour in this pñt parliament viz be þe granting of ane taxatioun throuhout þe haill north cuntrie for reparatioun of þe said brig to the qlk taxatioun þe saidis prouest baillies counsall & cōmunitie ar willing to contribute according to thair power and habilitie albeit þai ar vtherwyse oblist w^t vphalding of þe brig of die and thairthrow maid þe mair vnhable to help to þe reparatioun of þe said brig of done As the said supplicatioun at mair lenth beiris Oure souerane lord w^t avise and consent of the thrie estaittis of this pñt parliamēt hes gevin and grantit full power and cōmissioun to the erle of huntlie the erle of erroll þe erle marschall þe laird of auchindoun þe laird of vry the laird of reviniscrag the laird of drum the laird of essilmonth þe laird of fouerne þe laird of vchquhone and ane cōmissioner for þe said burgh of Aberdene or ony thrie of thame cōiūclie to pas to þe brig of done at ony

tyme thay pleis appoint and thair to visie and cōsider þe said brig and to confer þairvpone w^t þe maist honest ancient landit gentilmē nixt adiacent þ^oto and sie gif þe said brig possible may be helpit and be quhat best moyen þe same may be done and to report þair opinioun and proceedingis in the premiss^o to þe lordis of secret Counsall And incais^o efter þair said report the said brig beis fundin possible to be mendit and repairit Oure said Souerane lord w^t aduise foirsaid gevis and grātis full power and cōmissioun to þe lordis of secret counsall to grāt and appoint ane ressounable generall stent and taxatioun vpone sic pairtis of þe cuntrie as þai sall think maist expedient for help and support of þe said decayit brig and to mak speciall act and ordināce vpone þe said taxatioun Contening þe forme and ordo^r of payment and ingaddering of þe samyñ.

XIV.

The Privy Council grant an indemnity to the burgh for its furnishing of the rebel Earls. 4th August, 1589.

Forsameke as it is undirstand to the Kingis Majestie and Lordis of his Secret Counsaill that George, Erll of Huntley, Francis, Erll of Erroll, and David, Erll of Craufurde, in the moneth of Aprile last bipast, repairit within the burgh of Abirdene, with sic a force of his Hienes subjectis in arms as the provest, baillies and inhabitantis of the said burgh, wer not able at that tyme to resist, bot, for eschewing of mony and dangerous inconvenientis, cheiflie the rasing of fyre, birning and distructioun of thair houssis, exponing of thair guidis in pray, bereving of thair lyveis and sindrie utheris violenceis quhairwith thai wer threatned, in end compellit not onlie to grant ressett to the saidis Erllis and thair compliceis within thair said toun, bot utherwise to supporte and furneis thame, aganis thair willis, and upoun na deliberat mynd ather to allow and approve thair treasonable dealing, nor yit to participat with thame thairin, continewand alwayes thair affectionat myndis towardis his Hienes, as thay and thair predicessouris had at all tymes done to his Majestie and his predicessouris of befoir, —quhairof his Hienes, immediatlie eftir his repairing to the said burgh, finding gude and sufficient prufe, not onlie be [thair ?] advancing and delivering to George, Erll Mairshael, be his Hienes commandi-

ment, of divers grite sowmes of money, bot als in thair personall service and reddines to the advancement of his Hienes authoritie and service chieffie aganis the saidis Erllis and thair compliceis, besydis the furnishing of werkmen, with thair werklumes, and sindrie utheris preparationis for the dimolissing and douncasting of thair houssis and strenthis;—his Majestie thairfoir, accepting and allowing of the bipast behaviour of the saidis provest, baillies and inhabitantis of the said burgh, thair constant and affectionat myndis towardis his Hienes at all tymes, hes decernit and declairt and, be thir presentis, with advise of the saidis Lordis of his Secreit Counsaill, decernis and declairis, thame and every one of thame to be free and unaccusable for thair ressett and furnishing grantit to the saidis Erllis and thair compliceis in maner and at the tyme foirsaid; like as his Majestie, with advise of the saidis Lordis, remittis, renunceis, and dischargeis all actioun and caus criminale and civile quhilkis his Hienes had, hes, or ony wise may have, aganis them for the samin: exonerung thame be thir presentis off all pane and dangeir that may be imputt to thame thairthrow for evir; dischargeing his Hienes justice, justice-clark, thesaurair, advocatis, and all utheris his officiaris and ministeris of his lawis, off al calling accuseing or onywayes proceding aganis thame for the samin, and of thair offices in that parte: and that thir presentis be als sufficient for the suretie of thair lyveis, landis, guidis, and previlegeis, as giff the samin wer past undir his Hienes grite seill in forme of remissioun with all solempniteis requisite, or as giff thay had been ordourlie acquite of the samin be ane assise befoir the justice or his deputis.

XV.

The Parliament grant leave to the burgh to hold a yearly fair. 21st July, 1593.*

OURE SOUERANE LORD w^t auise of the estaitis of this pñt parliament Gevis and grantis licence and libertie to the burgh of abirdene To hald ane marcat and publict fair wthin the fredome of the said burgh To begin zeirlie heireftir vpoun monūday Immediatlie befoir uitsonday And thaireftir To continew for the space of aucht dayes w^t the haill iurisdictionis fredomes, toill and custumes off the same.

* Cf. Nos. IV., VII., XIX., pp. 8, 11, 27.

XVI.

The Parliament conform to the burgh the annuals, etc., belonging to the chaplains of St. Nicholas Church. 21st July, 1593.

OURE SOUERANE LORD and estaitis of this pūt parliament Ratifies appreis and conf⁹mis and of new gevis grantis and disponis to the burgh of abirdene All and sindrie the ānuellis few malis chaipplanies and p⁹bendariis qlkis belangit of befoir, To chaipplanis of thair parochie kirk of abirdene, cōtenit in the gift maid to the said burgh of befoir.*

XVII.

The Parliament ratify the erection of Aberdeen as a free burgh. 8th June, 1594.

OURE SOUERANE LORD and estaitis of this pūt p⁹liamēt Ratifies appreis and for his hienes and his successo⁹r perpetuallie conf⁹mes the erectioun of the burgh of abirdene in ane frie burgh w^t all infest-
 • mētis privilegis richtis and titles maid and grātīt be his hienes and his p⁹dicesso⁹r vnto thame of befoir And decernis and declaris the same to stand in the full strenth force and effect in tyme to cum.

XVIII.

The Parliament ratify acquittances given to the burgh for payment of £8000 lent from the Queen's locher. 16th December, 1597.

Oure Soueraue Lord and estaitis of this pūt parliamēt Ratefeis appreis and cōfirmis the tua acquittāceis and dishargis gewin be his maiestie with advyis of his hienes comptroller and lordis of secreit counsale to the toun of abirdene vpoun the paymēt of aucht thousand pūdis qlk wes deliuerit to p⁹ā of the tocher of his maiesteis deirest spous the quenis grace and qlk p⁹ai had for ānuell and proffeit Togidder with the p⁹ffit of p⁹e samī aucht thousand pundis of all 3eiris and termes bipast as the samī acquittācis and dishargis in thā selffis mair āplie beris The ane p⁹of being of the dait p⁹e fyift day of Junij the 3eir of god fourscoir fourtene 3eiris and the v⁹p⁹ p⁹of being of the dait p⁹e last day of Julij p⁹ester p⁹e samī 3eir and decernis and ordanis that this pūt act⁹ of Ratifica⁹un foirsaid salbe als valable and effectuell

* See No. XXXIII., p. 75.

for þ^e effect⁹ as gif the saidis tua acquittāceis and dishargis war insert and ingrossit everie word heirintill and ordanis ane act⁹ of parliamēt to be maid and formit heirvpouñ

XIX.

The Parliament ratify the charter of 14th August, 1601, granted to the burgh by King James VI. 9th July, 1606.*

OURE SOUERANE LORD and estaittis of this pñt parliamēt be the tenno^r heirof Ratefeis appeves and perpetualie confermis the charto^r maid and grantit vnder his hienes great seall To the burgh of Aberdene provest bailleis counsaill and cōmunitie þairof and thair successouris Off all and sindrie thair cōmoun landis pertenig to the said bur^t mylnis small customes salmond fisheingis Liberteis privileges Immunitis and vtheris quhatsumeuir generalie and specialie comprehendit and contenit in the fairsaid charto^r In all and sindrie pointis heidis articlis claus^s circūstances and cōditionis thairof As the fairsaid charto^r of the date at falkland þe fourtene day of August the 3^eir of god J^mvj^c and ane 3^eiris in the self at mair lenth proportis with the precept and Instrumēt of seasing following þairvpoun And willis that þis pñt Ratificatioun and cōfirma^oun Is and sall be of als great strenth force and effect as gif the samī charto^r precept and Instrumēt of seasing wer word be word heirin ingossit quhairanēt our said souerane with advyse fairsaid for now and evir be thir pñtis dispens^s And als oure said souerane w^t advyse fairsaid ffindis decernis and declaris the fairsaid charto^r precept and Instrumēt of seasing following thairvpoun To be ane gude valide and perfyte richt to the provest baillies counsaill and cōmunitie of the said bur^t of aberdene and þair successouris ffor bruiking and Joising of all ⁊ sindrie landis mylnis fischeingis salmond fisches privileges Liberteis and Immunitis and vtheris q^tsumeuir generalie and specialie cōprehendit and expressit in the samī charto^r ffor paymēt of the 3^eirlic ductie thairin cōtenit And gif neid beis oure said souerane And estaittis fairsaidis Ordanis ane new infestmēt to be maid grantit and gewin To the said bur^t of Aberdene provest bailleis counsaill and cōmunitie þairof agreeable word be word w^t the said chartour ffor the qlk new Infestmēt this pñt act sall be ane sufficient warrand

* No. XLII., p. 100.

XX.

The Parliament ratify the charter of 1st February, 1605, granted to the burgh by Mr. Alexander Hay. 9th July, 1606.*

OURE SOUERANE LORD with advyse of the Estaittis of this p̃t
pliamēt Be the tenno^r heirof Ratefeis appreves and for his hienes
and his successouris perpetualie Confermis the chartour maid gevin
and grantit be m^r Alexander hay clerk of o^r said souerane Lordis
counsail and sessioun To the provest bailleis counsaill and cōmunitie
of the burgh of aberdene and thair successouris Off all and sindrie
the fewfermes and ālrentis pairin Contēnit extending in the hail to
tuentie sewin pundē aycht schillingis and aycht penneis with the super-
ioriteis of all landis tenemētis ālrentis and vtheris thairin cōtenit In
all and sindrie pointis clauis articlis circūstances and conditiones pairōf
As the fairsaid charto^r of the date at Edinburgh the first day of
februar The 3eir of god J=vj^c and fyve 3eiris in the self at mair lenth
proportis with the precept of seasing cōtenit in the said charto^r and
Instrumēt of seasing following pairvpoun And willis that this p̃t
Ratificatioun and cōfirmatioun Is and sall be of al^s great force strenth
and effect As gif the sami charto^r precept and Instrumēt of seasing
wer word be word heirin ingrossit Quhairanēt oure said souerane
with advyse for now ʔ evir Be thir p̃tē dispens

XXI.

The Parliament approve an alteration of the amount of burgh maill from sterling to Scots money. 28th June, 1617.

OURE SOUERANE LORD and estaittis of Parliament perfyitlie vnder-
standing That his Māties burgh off Abirdene being ane of the most
ancient ʔ famous borrowes of this his majesty's kingdome off Scotland
wes erectit be his maiestyes maist nobill predicessoures of worthie
memorye and doted with ampill priuiledges ʔ Immunityes for 3eirle
payment of the soume of Tua hundereth threttene pundis sex schillingis
Aycht Penny's of borrow maill sp̃it and conteanit in the rightis and
Infestmentis maid to be said burgh thairvpoun As be samyne in the

* See the charter *postea*.

selff proportis And howbeit in ane of the saidȝ auld infestmentis The said Borrow maill and ȝeirlie dewtie be exprest to be sterling mo^e ȝit it is of veritie that þe Provest bailȝeis Counsell ⁊ Communitie of the said burgh off Abirdene and thair predicesso^rȝ wes nevir in vse of Payment to his Mātie or his hienes Comptrollaris bot off the soume off Tua hundereth threttene pundis sex schillingis aucht pennyes current and vsuall money of scotland allanerlie Q'off compt hes bene maid in his hienes exchekquer past memorie of man And his maiestye considdering that giff the said burgh of Abirdene suld be vrgit and burdenit with the payment of the said borrow maill in sterling money The same wald tend to the vtter Ruine of the said burgh In respect the haill commoun landis and rentis pertening pairto Ar not able to pay the said borrow maill it being Comptit in sterling money His hienes thairfore be Infestment vnder the gryit seill Off the date at faulkland the fourtene day off August the ȝeir of god J^m vj^c and ane ȝeiris * of new gave grantit and disponit to the said burgh all and sindrie thair landis mylnes housȝ fischeingis watteris and the said burgh it selff and all vtheris priuiledgis Liberties Immunities and vtheris Commodities quhatsumeuir Qlk did at ony tyme of before pertene or belang to the said burgh To be haldin of his Mātie and his successoures in frie burgage for yearlie payment of the soume of Tua hundereth threttene pundis sex schillingis aucht pennyes vsuall money of the realme of Scotland and tuentye schillingis in augmentatioun of the rentall As in the said Infestment off the date foirsaid Contening ane ratificatioun of all former rightis and euidentis grantit to the said burgh at mair Lenth is conteanit Qlk infestment his Mātie hes Ratefiet in þe Parliament haldin at Peirth the nynt day off Julii J^m vj^c and sex ȝeiris† And now his mātie being of mynd that the said gift and erectioun maid to the said burgh may be sua formalie exped according to his māties lawes that þe same may be effectuall to the provest bailȝeis Counsell and Communitie of the said burgh and ane sufficiēt Right vnto thame and thair successoures in all tyme cuming for payment of the said ȝeirlie dewtie and borrow maill of Tua hundereth and threttene pundis sex schillingis aucht pennyes vsuall money of this realme of Scotland and twenty schillingis

* No. XLII., p. 100.

† No. XIX., p. 249.

money foirsaid of augmentatioun allanerlie Thairfore his Majestie with aduyse And Consent of the haill estaittis of this pñt Parliament Hes dissoluit and be the tenno^r heiroff for his hienes and his successoures with consent and aduyse foirsaid off certane knowledge perpetuallie dissolvis fra the Croun and all Annexatioun thairto The said Burgh of Abirdene with all and sindrie thair landis forrestis woddis watteris salmond fischeingis vpoun dee and done mylnes thirle multeris castellis medowis hillis linkes heavines poirtis blokhous bulwarkis anchorages small Customes Bell customes Trone wechtis measures vtheris proffittis casualities and dewties quhatsumeuir qlk at ony tyme before perteanit or belangit to the said burgh of abirdene Togidder with the said borrow maill and jeirlie dewtie of tua hundereth threttene Pundis sex schillingis aucht pennyes money Conteanit in quhatsumeuir Infestmentis or eidentis grantit to the said burgh off quhatsumeuir designatioun the said borrow maill and jeirlie dewtie be of quhither sterling money or vsuall money of this realme To this effect that his Mätie may of new give grant and dispone to the Provest Bailjeis Counsell and Communitie of abirdene and thair successoures The said burgh with all and sindrie thair Landis forrestis woddis wateris salmond fisheingis vpoun dee and done mylnes thirle multo^r castellis medowis hillis linkes blokhous bulwarkis anchorages small Customes bell Customes trone wechtis measures vtheris proffittes casualities and dewties q'sumeuir qlk at ony tyme bigane pertenit or belangit to the said burgh of Abirdene To be haldin of his Mätie and his hienes successo^r in frie burgage for jeirlie payment of þe said sowme of Tua hundereth threttene pundis sex schillingis aucht pennyes and tuentye schillingis of augmentatioun vsuall money of Scotland allanerlie with als ampill priuiledgis Immunities and liberties as ony vther burgh w'in this realme Lyik as his Mätie ardanis ane new gift* to be maid to the saidis Provest bailjeis Counsell and Communitie off the said burgh and vtheris abone spëit efter this pñt dissolutioun vnder his hienes gryit seall Qlk infestment swa to be exped His Mätie w^t consent foirsaid Now as gif the sameñ wer alreddye perfyittit Ratefies affermes and appreis in the haill heiddis articles and claus thairoff And willes and declairis the said Infestment to follow vpoun

* No. XLIII., p. 110.

this pñt dissolutioun to be ane guid valide and perfyit right for the saidē Provost bailjeis Counsell and Communitie of the said burgh off Abirdene present and to come for bruiking and joysing of the said burgh and all and sindrie Landis forrestis mylnes woddis salmond fischeingis customes Casualtyes trone wechtis Priuiledgis Liberties Immunities and vtheris dewties quhatsumeir thairin to be conteanit for payment of the said yearlie dewtie of Tua hundereth Threttie pundis sex schillingis aucht pennyes vsuall money of Scotland and twenty schillingis of the same money in augmentatioun of the rentell allanerlie and na farder As giff þe same were alreddy past and expreslie sett down in this pñt act And nochtw^tstanding thairoff Quhairanent his hienes for his Mätie and successoures with aduysse and consent foirsaid Hes and be thir pñtis dispensse for euir

XXII.

The Privy Council appoint the old gauge of Aberdeen to be the standard measure for salmon throughout Scotland. 15th July, 1619.*

Forsamekill as the cōmissionaris nominat be the lait parliament for reduceing of the weychtis and measoris of this kingdome to one conformitie haueing with gryte paines diligence foirsicht and deliberatioun bro^t that wark to ane gude conclusion by appoynting and setting down of a perfyite Just and trew proportioun of measure for the firlo^t stoupe eln and weychtis by the quhilkis all his maiesties liegis and subiectis ar commandit to ressaue and delyuer buy and sell thair commodities and wairis and of the qlkis measuris and weychtis double standartis war presentit to his maiesties councell be the burrowis quho hes the charge and keiping of the same and ar put in his maiesties castell of Edinburght and Dumbartane to remane as warrandis for the saidis weychtis and measuris in all tyme comeing thair onlie rested at that tyme the measour of salmond q^twith the saidis commissionaris medlit not ather in respect that no mentioun wes maid of that mesour to the parliament Or els becaus the standart thairoff qlk was committit of auld

* See page 187.

be his maiesties prediccessoris of famous memorie to the Burght of Abirdeine hes beine ressauit Imbraceit and acknowledgit alsweill in yis kingdome as in forane pairtis to be a Just trew and vpricht measour And whereas be the cair and diligence of the saidis commissioneris the diversitie and disproportion of all vther measouris quilk formerlie wes so frequent and commoun in this cuntrie Is now remowit and taine away And seing lykwayis thair hes newir beine ane vther standart of Salmond maid in this Kingdome bot the auld standart of Abirdein Thairfoir the Lordis of secreit counsall hes thocht it meit expedient concludit and ordaint both for the credite and weill of the cuntrie and for eschewing the hurt and preiudice quhilk the disproportion betwixt the measouris of salmond may produce to his maiesties liegis that thair salbe bot ane constant measure for the salmond throught out the haill kingdome and that this measure salbe according to the auld gadge and standart of abirdein quhilk contene Ten gallowins with the quhilk measour all his maiesties liegis sall ressaue and delyuer thair salmond in all tyme comeing Ay and quhill the estaitis of this kingdome to be convenit in parliament tak vther ordour thair with And the saidis Lordis ordaines thir pñtis to begin and to tak effect and executioun fra the First day of Januar nixt to come allanerlie and to continew thaireftir till vther ordour be taine in parliament as said is And ordaines letteris to be direct to mak publicatioun heiroy be oppin proclamatioun at the mercat croceis of the head burrowis of this kingdome and vther places neidfull quhairthrow nane pretend Ignorance of the same And to command charge and Inhibite all and sundrie his maiesties liegis and subiectis that nane of thame presume nor tak vpoun hand at any tyme eftir the said first day of Januar nixt to cum To ressaue or delyver thair salmond w^t any vther measure bot according to the gadge and standart of abirdein conteining Ten gallowins as said is and that all thair barrellis be maid conforme thairto vnder the paine of confiscatioun of the haill salmond that salbe barrellit be thame vtherwyise the ane halff of the said confiscatioun to apperteine to the kingis maiestie and the vther to the discover and reveiler of the fals and disconforme barrellis And siclyk to Command charge and Inhibite all and sundrie cowparis mackeris of barrellis That nane of thame presume nor tak vpoun hand to mak any barrellis for salmond bot according to the

standart of abirdein conteining the gallowins as said is vndir the paine of fywe pundis to be Incurrit be thame for everie barrell that they sall mak of ane vther measour

XXIII.

The Parliament ratify the charter of 17th July, 1617, granted to the burgh by King James VI. 28th June, 1633.*

OURE SOVERANE LORD and estates of this present parliament ordaines ane ratificatioun To be maid thairin In favours of his hienes lovitts The proueist baillies counsall and cōmwnitie of the burgh of Abirdeine and thair successors Ratifiand approveand And for his hienes and his successors perpetuallie confirmand The chartors maid and grantit be his Ma^{ties} vmq^l darrest father James be the grace of god king of great Britane france and Ireland defendar of the faith &c^o of eternall memorie With advyse and consent of his hienes principall thesaurar deputtie thesaurar and remanent lords of his hienes secreit Counsall of Scotland his hienes Cōmissioners for the tyme Wnder the great seale of the dait at falkland the sevintene day of July The 3eir of god J^mvj^c and sevintene 3eirs Quhairby our said lait vmq^l Soverane lord . . . [see p. 110] . . . as the said chartor of the dait forsaid in itselff at mair lenth beirs: with the precept of sasing following thairvpon, vnder the testimonie of the Great Seale of the samyne dait, and instrument of sasing following thairvpon, of the daite the day of , the 3eir of god J^mvi^c 3eirs; as als the act of dissolutioun maid in the Parliament haldin at Edinburgh, the tuentie aucht day of Junii, the said yeir of God J^mvi^c and sevintene 3eirs,† quhairunto the said chartor abone mentionat is relative and quhairone the samyne proceids and followes in maner thairin contenit; as als the chartor maid be vmq^l King Robert the First, to the saids burges and cōmwnitie of the said burgh of Abirdeine of all the liberties, consuetudes, and jmmwnities quhairine they wer infest be his prediceors of befor, in tyme bygaine; and giving full power to the saids burges and cōmwnitie of the said burgh, to tak, waird, and punishe all thes that sould come in armes within the said burgh, againes the statuites of his Majestie and borrowes of this realme in tyme coming, Wnder

* No. XLIII., p. 110.

† No. XXI., p. 250.

the Great Seale of the dait at Gairuane in Carrik, the saxt day of Februar, and of his Majesties reigne the tuentie-thride yeir,* IN ALL and sundrie the heads, pointes, clausis, articles, and conditiones thairin contenit, and eftir the formes and tennors thereof in all pointes. And our said Soverane Lord and Estates of Parliament wills and grants, and for thame and thair successours decernes and ordaines that this present ratificatioun of the said chartor, precept and sasing following thairvpon, and of the act of dissolutioun abone writtine quhairvpon the samyne proceedit, and the vther chartor abone mentionat, maid be the said vmq^l King Robert the First, is and sall be als valide and sufficient, and of als great force, strenth, and effect to the saids prouelist, bailleis, counsall, and cōmwntie of the said burgh of Abirdeine and thair successors for bruiking and joyying of the said burgh of Abirdeine and all and sundrie lands, heretages, forrests, mylnes, wodes, salmond fishings, casualities, liberties, priueledges, jmmwnities, and vthers quhatsumever contenit in the saids chartors, and ather of thame, and vtherwayes belonging thairto, as if the saids tua chartors, precept, seasing, and act of dissolutioun abone writtine were all at lenth insert, ingrost, and contenit in this present ratificatioun. Quhairanent, and with all vther defects and imperfectiones, quhilks may be proponit or alledgit againes the saids tua chartors, precept, sasing, and act of dissolutione, or any of thame, and this ratificatioun thairof, oure said Soverane Lord and Estates of Parliament hes dispensit, and be thir presents dispensis for ever, and that the said ratificatioun be farder extendit in the best forme with all clausis necessar

XXIV.

The Privy Council grant to the burgh for a term of nineteen years certain duties on passengers, etc., for upholding the Calseys of Cowrymonth. 17th July, 1634.

Anent the supplicatioun presented to the Lordis of secret counsall be the prouest and Baillies and counsell of the burghe of Aberdeine Makand mentioun That where the calseyes in Cowiemont ar now so worne and decayed as there will be no possibilitie of passage in this approaching winter and the supplicantis hes done alreadie all that lyes in thame for the mending and vpholding of these calseyis,

* No. X., p. 15.

bot the work is so great and the manie other burdeins lying vpoun the said burghes presseth thame so hardlie as it lyis not in thair power To outtred and perfytee that work there being none within the kingdome more Important and necessir and if some course be not tymouslie tane for mending and vpholding of the saidis calseyis .It wil become altogidder impossible thairefter and the supplicants can for see no way how these calseyis can be biggit and upholdin bot be a collectioun and dewtie To be takin off passingeris on horse and foot and of all horse Loadis and quhatsumewir cōmodities passing that way Humblie desyiring thairfoir the saidē Lordē To grant vnto the saidē supplicants a warrand and cōmissioun To raise and lift the dewtie following on passengeris horse Loadis and other cōmodities comeing and going be the saidē calseyis Lyik as at more Length is conteaned in the said supplicatioun Quhilk being red hard and considered be the saidē Lordē and they hawing also hard seine of the barons and gentlemen in the Northe anent this matter and anent the necessitie of repairing and vpholding of the saidē calseyis and the saidē Lordē finding by thair awne knowledge and also by the report and declaratioun of the saidē Barons and gentlemen That the reparatioun and vpholding of the saidē Calseyis is a most important and necessar work Tending to the weell of the countrey and good of the subjectis And finding no other expedient for the present how the saide calseyis salbe mendit and vpholdin bot be the vplifting of the dewtie following Thairfoir the saidē Lordis hes Given and granted and be the tenor heirof Giwes and grantis full power warrand and powir to the saidē supplicants and to thair collectoris To be nominat and appointed be thame frome tyme to tyme as thay sall think expedient To ask crave ressaye intromett with and wplift the dewtie following of all passingeris travelling be the saidē Calseyis and of all horse Loadis or cartis sheep and noct comeing or going that way That is to say of ewerie footeman twa pennies, of ewerie horsman eight pennyes, of ewerie horse Load of whatsumewir cōmodities eight pennies, of ewerie ten sheep eight pēneys of ewerie kow and oxe foure pennies, and of ewerie cart of whatsumewir cōmodities twa shillingis To be applyed to the beiting mending repairing and wpholding of the saidē calseyis And for the better collecting and ingaddering of this custome and dewtie With power to the saidē supplicante To caus big and sett ane port at suche pairt and place

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of the calseyis as they frome tyme to tyme sall think expedient and to close the port and suffer none to hawe passage that way bot such as sall pay the dewtie foirsaid debarring all otheris frome passage who sall refuse to pay the same With power Lyikwayes to the saidē collectorē To pound the reddiest goodē and geir of the personis refuseing to pay the said dewtie according to the avall and proportioun of that quhilk is dew to be payed be thame And the saidē Lords ordains this commissioun and warrand to stand in full force and effect and to continew and indure and have execution for the space of nynteine yeeres nixt and Imēdiatlie following the day and date of thir pñtes during the quhilk space the saidis Lordis Ordains the saids supplicante to entertaine and vphold the saids Calseyis

XXV.

The Parliament ratify King Charles I.'s grant (of 11th November, 1641) of the Church of St. Nicholas. 17th November, 1641.*

Our Soverane Lord and haill estates of this pñt parlia^t ordeanes ane act to be made therine Ratifeing and approveing þe lērs of Gifte made and granted be our said sverane Lord To and in favoures of the proveist baillies counsell and comvntie of the burghe of Abirdene now present and to there successoures in all tyme comeing of the Dait the ellevint Day of november instant Quhairby our said sverane lord for the considerationes therin contenit Hes givine granted foundit mortified and Disponed To the sds Proveist baillies counsell and commontie of the said bur^t and ther successoures in all tyme comeing All and haill the kirke of S^t nicolas within þe said bur^t with the haill teyndis personage and viccarage therof Togidder with the right of patronage ⁊ presentatione of the ministeres therto As ofte and sua ofte as þe samene shall happine to occurre in tyme comeing To remaine with the saidis Proveist baillies counsell and commontie of the said bur^t and ther successoures for evir in all tyme comeing And sicklyke hes vnite and annexit þe said kirke of S^t Nicolas and teyndis personage and viccarage therof with the right of patronage therof foirsaid to the said burghe of Abirdene And hes ordeaned that ane seasing to be

* No. XLVII., p. 199.

now once takine therof be þe saidis Proveist baillies counsell and commontie of the said bur̄ at þe mercat croce þof shall stand effectuell and be ane sufficient seasing to them for evir in all tyme comeing without any necessity for taking new seasing therof at any tyme thereftir To be holdine in maner specified in þe said gifte As the samene of the dait foirsaid at mair Lenth beeres In all and sindrie þe heedis Claus̄ and conditiones therin contenit And eftir the forme and tennoʳ þairof in all poyntes

XXVI.

The Parliament ratify King Charles I.'s charter (of 9th September, 1638) confirming the privileges of the Burgh. 17th November, 1641.*

Our Soverane Lord and Estates of this pñt Parliament Ratifies and approves and for his hienes and his successoures perpetuallie Confirmes The Charter mad and granted be his hienes with advyse and consent of his Māties thesaur̄es prin^{ll} and deputie and remanent Lordis of his hienes exchequer of this realme for the tyme wnder þe great seale of þe dait þe Nynt day of september The 3eer of God J^mvj^c Therttie eight 3eeris Quhairby our said soverane Lord . . . [see p. 155] . . . as the said chartoʳ of the dait foirsaid at mair lenth beeres with þe precept of seasing fallowing therwpon under the testimony of þe great seale of þe samene dait and instrument of seasing falloweing þairvpon off the dait þe last day of October the said 3eer of God J^mvi^c therttie eight 3eeris IN ALL AND sindrie þe heedis poyntes claus̄ articles and conditiones therin contained ; and eftir þe formes and tennore þairof in all poyntes AND oure said Soverane Lord and þe Estates of Parliament willis and grantes and for them and ther successoures decernes and ordeanes that this present ratificatione of the said chartoʳ precept and seasing falloweing þw̄poun and others actes and chartoʳe þairin mentionat is and shall be also valied and sufficient and of also great strenth force and effect to þe saidis proveist baillies counsell and cōmonitie of þe said burgh of Abirdene and ther successoures, for bruiking and joysing of þe said bur̄ of Aberdeine and all and sindrie landis heritadges forrestes mylnes wodis fisheinges offices casualities liberties priviledges im-

* No. XLVI., p. 155.

munities and op's whatsomevir, conteaned in þe said charto^r and otherwayes belonging therto as if þe samene charto^r precept seasing actes and otheres above spēit therin mentionat ware all at lenth word be word insert ingrost and conteaned in the said ratificatiōe therof NOTWITHSTANDING that the samene be not sua done QUHAIR-ANENT and withall other defectes and imperfectiones whatsomevir whilkis may be proponit or alledged aganes þe samene charto^r precept and seasing actes charto^re and otheres writtes foirsaidis þairinmentionat or any of them, and the said Ratificatiōe þairof OUR said soverane Lord and Estates of this present parliament Hes Dispensit And be þir pñtes Dispens^s For evir

XXVII.

The Parliament grant warrant for payment of £12,960 Scots to the burgh from the burgh Excise, being proportion of money furnished to purchase arms. 18th July, 1644.

The Estates of parliament presentlie conceint By vertew of the Last act of þe last parliament Haldine be his Ma^{ty} and thrie estates in Anno 1641 Be thir pñtes Gives precept and warrand to þe Thesaurer or collector Generall of the excise and to þe Commis^r and intrometeres with the moneyes barrowed for þe use of þe publict To make payment to þe burghe of Aberdene or ony haveand ther power and warrand out of þe first and reddiest of the Excise or barrowed moneyes w^{ch} shall be exacted uplifted or barrowed for þe use of the publict within the said burghe of Abirdeine of the soume of Tuelff Thousand Nyne hundreth thriscoire pundes scotes with the ārent therof sence mertimes J^mvj^c 3 fourtie tuo yeeres Quhilke is that pairt and proporti^oun payed and advanced be þe burghe of Aberdene for þe publict To the facto^r at campheir of the pryces of þe Armes and ammunitiōe sent home be the facto^re for þe use of the publict to this Cuntrie the tyme of the late troubles And q^of þe frie royall burrowes and ther burgess rextiue advanceres and payeres therof to þe facto^re at campheir Are ordeind to be repayed be ordinance of þe parliament Out of the said Excise and barrowed moneyes within ther owne burghes rextiue Conforme to þe act and ordinance made heirwpoun of þe dait heiroyf Quhairanent thir pñtes shall be a sufficient warrand

XXVIII.

*The Parliament elect the Councillors of the burgh for the current year.
6th February, 1647.*

Forsamekle as there being ane proces depending before the Cōmittie of estates and remitted to be determinatune of the parliament concerning the Late election of the counsell and magistratis of Abirdene And the samen being now takine in consideration be the estates of parliament with what hes bene said for and against the samen THEY FIND That in regaird of some excōmunicat persones and othere of the rebellis being in armes within the toune Imediatlie before and about the tyme of thair election and of there intermedling þ'in The election hes not bene caried on w^t that friedome q^{ik} is allowed be þe Law and vsuall in the Lyke caises And therefore declares and decernis the said election to have bene and to be enforced vnfre and illegall And for removeing of anie scandall that hes rissen and prejudice that hes or may ensue vpon the said election if it sould have cours: for reestablishing the election in the ordinarie dew and Legall way for the tyme to come and for diverse other good and Important considerations The estates of parliament have thocht fitt to tak vpon themselfis the election of the Counsell of Abirdene for the pñt yeir And haveing informed themselfis sufficientlie of the persones ablest and fittest for the charge THEY DOE NOMINAT and appoint patrik Leslie elder M^r Ro^t farq^r M^r Thomas gray Johne hay m^r w^m moir Thomas Mortimer Alex^r Jaffray george cullen patrik Leslie yo^r Walter cochrane Alex^r burnet elder Johne Jaffray Alex^r farq^r Thomas mowat george aedie david sinclare charles robertsone peter sheirar and W^m Sangster To be the Nyntene counsellorē of þe said burgh for the pñt yeir And ordains them vpon þe tuentie fourt day of this moneth at fardest or sooner if convenientlie they can To conveene in the ordinarie place of meitting And thair be themselfis onlie to mak election of the provest baillies and other magistratis and officerē wⁱⁿ the s^d burgh for the samen yeir of thair awne number Quhilks persones ar to exerce the saidis places and offices of magistracie and counsell vntill the next ordinar tyme of election And then they ar to mak

choose of þ^r successorē in the saidis places for the nixt yeir to come of men of knowne affection to the caus conforme to þe Law and vsuall custome of the burgh And it is heirby provydit That this act sall neither prejudge anie infeftmentē and saisingis given by the persones elected In maner foresaid nor anie Laifull deid done by them In conveyance of richtis and administration of justice or keiping the said toun in order this tyme bygone nor the priviledges of the said burgh in the election of the counsell and magistratis In tym comeing Declaring Lykewise Inregaird that the clerk who was in place is Laitlie deceissed That the counsell abouenamed and magistratis be them to be elected Sall satle and dispose of the said place as they sall find most conduceable to þe Peice of þe toun and to þe publict caus And ordains L^res to be direct heirvpon to the effect before ordaned vpon ane simple charge of xv dayis

XXIX.

The Parliament recognise the public indebtedness to the burgh to the extent of £39,084 10s. 8d. and £221,036 5s. Scots. 27th March, 1647.

The Estates of parliament Haveing hard and considered the Report of that Comittie appointed for hearing of þe suplications and sitling of þe accomptis of the burgh of Abirdene and vþ^r distrest burghes and schyres CONCERNING the suplication and accomptis of þe s^d burgh of Abirdene For payment of þ^r quarteringis the fleymis money and other sowmes furneist and Lent be them for þe vse of the publict by order of þe Comittie of estates THEY FIND That thair is justlie restand awand be the publict to the toun of Abirdene of fleymis money advanced be them in anno 1641 and of vþ^r moneyis furneist and lent be them and payed to Johne denholme Cōmiss^r for þe north in anno 1644 be order of þe Cōmittie of estates The sowme of Threttie nyne thousand fourscore foure pundē 10s. 8d. money of prin^{ll} sowmes and anuelrentis at Candlemes Lastbypast J^mvj^c 7 fourtie sevin yeirē By vþ^r great sowmes of money borrowed from severall persones Inhabitantes of the burgh of Abirdene and not compted nor comprehendit in the sowme abonewrīn Quhilk sowme of Threttie nyne thousand Fourscore foure pundē 10s. 8d. abone-

mentioned The estates of parliament declares to be ane publict debt adebtit be the kingdom to þe burgh of Abirdene And grants heirby to them the publict securitie and publict faith for payment þrof to them w^t anuelrent for the fleymis money and lent moneyis fores^d since Candlemes Last and whill the payment And doe heirby obleidge the estates of þe kingdome for that effect And ordains the foresaid fleymis money and anuelrentis þrof w^t þe anuelrent of þe said Lent moneyis To be payit out of the excise of þe kingdom eftir þe sowme appointed out of the excise for maintenance of þe armie beis first compleit and made vp to the armie And also The s^de estates of parliament FINDIS by the fores^d Report That thair is restand awand to þe burgh of. Abirdene and inhabitants þrof be the publict for quarteringis of horss and foote officer and souldior their from tyme to tyme at frie quarter preceiding þe twentie of februar J^mvj^c 3 fourtie sevin yeir and for vþ^r incident necess^r charges debursed be them vpon warrandis instructed The sowme of Twa hundreth tuentie ane thousand threttie sex pundis fyve schillingis scotis money And that it is the opinion of þe fores^d Cōmittie That suche restis as is jit vnpayit be the toune of Abirdene of þ^r awne maintenance of þe first sevintene monethis Sould be allowed to them In pairt of payment of þ^r s^de quarteringis Quhilk article of þe fores^d Report concerning the fores^de quarteringis and vþ^r incident charges debursed be þe toune of Abirdene amounting to þe fores^d sowme of Two hundereth tuentie ane thousand threttie sex pund^e 5s. scotis money w^t the alloweing of these rest^e of þe toune of Abirdene maintenance of þe first sevinten monethis suche as is vnpayed þrof to them In pairt of payment of þe s^de quarteringis The saidis estates of parliament In respect of þe singular caise and condition of þe toune of Abirdene REMITTIS to the Cōmittie of estates To be tane in consideration be þm and W^t power to them to determine þ^ranent and tak some effectuall course for þe tounes releise þrof as the Cōmittie sall find just and reasonable But pre-judice of the pay^t of þe armie and w^t Re^sva^une of þe Lord humbies act and pay^t and of former assignement And that no assignement be granted of anie of þe money dew be the parliament of England to this kingdome

XXX.

The Parliament relieve the burgh from the payment of certain arrears, and grant the sum of £1000 sterling to the Magistrates. 12th March, 1649.

THE ESTATES OF PARLIAMENT Taking to thair consideratioun the Supplicatioun given in to thame be the Magistratis and counsell of þe burgh of Aberdene for thameselffis and in name and behalff of the Inhabitantis of the said burgh SHEWING the great soumes dew to thame by the publict with þ^r Losses and sufferinges as the samyne are mentioned and instructed in the said supplicatioun And that without present helpe they in that toun will be vterlie ruined AND THAIRFORE desyreing whill some vther effectuall course be taken for þ^r releife That the maintenance and excyse W^{ch} is dew and payable be thame for byganes and What sall be due in tyme to come may be allowed to the supplicantis in þ^r awne handis As the supplicatioun mair fullie beires And als considdering The Reporte of the Cōmittee of cōmoun burdings Wherevnto the samyne wes remitted Finding the haille soumes resting to the said burgh cleirly instructed (uherof one great pairt formerlie approven and declaired publict debt by act of parliament*) And þ^r þ^r will be due and restand to the said burgh in haille The soume of Nyne hundreth Tuentie sevin thousand ane hundreth and twentie Merkis and no pairt þ^rof payed AND that it is the opinione of the said Cōmittee In regarde of the great soumes advanced by the said burgh to the publict And to encourage and strengthen the handis of their honest magistratis and ministeris That the soume of Ane thousand Merkis monthlie continew suspendit as formerlie And what of þ^r maintenance is formerlie suspendit and fund resting by the said burgh be allowed to thame in pairt of peyment of the soumes dew to thame by the publict And that the Excyse of the said Burgh since the first of februar Last be signed and allowd to thame in tyme cumeing Whill þ^r flemis and Lent moneyis with the anuel-rent þ^rof be compleitlie payed And that some present and effectual course be taken for the farder reparatioun and releefe of the saide burgh and that they be seriouslie recōmendit to the Cōmittee of estaites for that

* No. XXIX., p. 262.

effect QUHILK Supplicatioune and Reporte þ^rof being considerit by the estaites of parliament THEY In regarde of þe present sadd and distrest conditioune of the said burgh of Aberdene ORDAINE thame to be liberate and fred and doe heerby Dischairge and exoner the said burgh of Aberdene of all bygane Monethlie maintenance ather restand vnpeyed be thame Or suspendit to thame for any monethis preceeding the first of februar last 1649 yeires Whereof the parliament declaires thame frie And allowis the samyne to thame in satisfactioun pro tanto of the soumes dew to thame be the publict AND FARDER The said estaites of parliament Ordaines The Soume of Ane thousand pundis sterling To be allowed and payed to the Magistratis of Aberdene out of the first and reddiest of the maintenance Excyse or vther publict dewis to be vplifted out of the said burgh of Aberdene or shire þ^rof For the Moneth of februar last 1649 yeeres and subsequent monethis þ^rester AND to that effect The saidis Estaites Gives heerby precept and Warrant to the Generall Cōmissar and his deputtis To mak payment to the Magistratis of Aberdene of the foirsaid Ane thousand pundis sterling in maner foirsaid And Declaires thir pñtis with their dischairge to be ane sufficient Warrant To the General Cōmissar and his deputtis for þ^r exoneratioun in þ^r accomptis for the said thousand pundis sterling pro tanto AND ORDAINES the said soume to be imployed be the Magistratis of Aberdene for making vp of a pairt of the mortified moneyis in þ^r burgh Tane vp and advanced be thame for the vse and service of the publict And for the remanent memberis of þ^r Supplicatioun and report With the actis and instructiounes þ^rof concerneing the remanent soumes þ^rin-mentionat dew be the publict to the burgh of Aberdene The saidis Estaites of parliament Remittis and recōmendis the samyne in ane serious maner To the Committee of estaites That ane speedie and effectuall course be taken for þ^r releese aud reparatioun of the burdinges and Losses of the said burgh as the said Cōmittee shall think expedient

XXXI.

The Parliament ordain the Commissary of Aberdeen to sit within the burgh. 16th March, 1649.

THE ESTATES of parliament Taking to þ^r consideratioun that
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the Cōmissar of Aberdene hes his seatt of Iustice uithin ane village Called old aberdene where nether proe nor vthers memberis of Court dwellis nor can convenientlie attend So that the Leidges dwelling within the said dyocie of Aberdene are much damnified and dissapoynted of Iustice þy And that it wald tend much to the gude of the Leidges That the said Cōmissar did sitt and administrat justice uithin the burgh of Aberdene where all þe vþ Iudicatories of that boundis does sitt and memberis of the said Cōmissariote dwells THAIRFORE and inrespect that it is the earnest desyre of the Cōmissioneris of the schire and burgh of aberdene and memberis of the said Cōmisariote THEY doe ordaine That in all tyme cuming the said Cōmissar of Aberdene and his deputtis Sall sitt and administrat Iustice uithin the burgh of Aberdene where proe and memberis of Courte may attend and the Leidges may be eased and not preiudged throw want of þr attendance And declaires thir pñtis sall be ane sufficient warrand for the said Cōmisar to change his seate of Iustice to the place foirsaid

XXXII.

The Lord Protector and his Council ordain that Aberdeen, Banff, and Cullen shall conjointly return a member to Parliament. 27th June, 1654.

Whereas by the Government of the Commonwealth of England, Scotland and Ireland, publicly Declared at Westminster the sixteenth day of December 1653. It is declared, that the Distribution of the Persons to be chosen for Scotland, and the severall Counties, Cities and places uithin the same shall be according to such proportions & numbers as shall be agreed upon and declared by the Lord Protector, & the major part of the Council, before the sending forth Writs of Summons for the next Parliament. And whereas His Highness and the major part of the Council, before the sending forth of any Writs of Summons aforesaid, did Agree and Declare the Distribution of the persons to be chosen for Scotland, According to the proportions and numbers hereafter mentioned; It is therefore Ordained, Declared and Agreed by His Highness the Lord Protector uith the consent of the Council, That the persons to be chosen

for Scotland, and the severall Counties, Cities and Places within the same, shall be according to the proportions and numbers hereafter expressed: That is to say, . . . For the Broughs of Bamph, Cullen and Aberdeen, one, and the place of meeting for the Election of such person shall be at Aberdeen; . . . And it is further Ordained by his said Highness the Lord Protector with the consent of the Council, That for the effectual and orderly Election of the persons aforesaid to be chosen to sit and serve in Parliament, as in the said Government is declared, several Writs under the Great Seal of England, shall issue and be directed to the several and respective Sheriffs of the several and respective shires, wherein the respective Elections are to be made of the respective persons to serve in Parliament for the respective shires, & to the respective Sheriffs of the County where the Elections for the Boroughs are hereby appointed to be made according to the distribution aforesaid; and that the respective Sheriffs to whom such Writs shall be directed, are hereby Authorized and Impowred to make or cause Proclamation to be made of such Writ in all the Counties Boroughs and places respectively for the making such Election and Elections, and to issue his Warrant to the Chief Officer of the place, where such Election for Boroughs is to be made, notwithstanding the same be not within the shire wherof such person is Sheriff, and to Cause the Elections to be made accordingly; Which Writs the Chancellour, Keeper, or Commissioners of the Great Seal of England, for the time being, shall Seal, Issue, and send forth.

XXXIII.

*The Parliament renew the grant of 17th July, 1634, by the Privy Council to the burgh, for a further term of nineteen years. 22nd February, 1661.**

The Estates of Parliament taking to their consideration a supplication given in to them by the Provost Baillies and Council of the burgh of Aberdeen Shewing that the Lords of Secret Council by their Commission dated the Seventeenth of July 1634 yeers did grant warrant to the Magistrats & Council of the said burgh of Aberdeen to vplift a certaine dutie for the space of nyntein yeers after the date

* No. XXIV., p. 256.

of the said Cōmission from all passengers and for all horse loads carts sheip and nolt comeing or goeing be the Calsayes of Cowy-month for vpholding & maintaining of the said Calsays And that they did not enioy the benefite of the said Cōmission above the space of three or four yeers preceeding the late troubles And therfor craveing that in regaird the said Calsays are now become broken & rwinous and the said burgh is not able to repair them vpon their ounce charges That it would please the saids Estates of Parliament to grant warrand to the supplicants & their Collectors to exact & vplift the dueties contained in the said Cōmission of Secreit Councill of all passingers horse loads cairts sheep or nolt passand be the said calsayes and in the maner spēt in the said Cōmission in all points As the said supplication at more lenth beares And the saids Estates of Parliament haveing also seen & considered the forsaid Cōmission of Secreit Councill and particular dueties therin contained Have of new given & granted And be the tenor heirof Give & grant full power warrand & Cōmission to the saids supplicants and to their Collectors to be nominat and appointed by them from tyme to tyme As they shall think expedient To ask crave receive intromet with & vplift the dueties following of all passengers travelling be the said calsayes and of all horseloads or cairts sheip or nolt comeing or goeing that way That is to say of everie footman two pennies, of everie horseman Eight pennies, of everie horseload of whatsumever cōmoditie Eight pennies, of everie ten sheip eight pennies, of everie cow & ox four pennies, and of everie cairt of whatsumever cōmodities two shilling to be applyed for the beiting mending repareing & vpholding of the saids Calsayes With power lykwayes to the saids Collectors to poind the readiest goods & geir of the persones refuseing to pay the said duety according to the availl & proportion of that which is due to be payed by them And to close the port of the saids Calsayes and suffer non to have passage that way bot such as shall pay the forsaid duetie And the saids Estates of Parliament Ordaines this Cōmission & warrand to stand in full force & effect And to continew & endure & have execution for the space of nyntein yeers next & imēdiatly following the day & date of thir pñts And lykwayes ordains the said supplicants pñtēy to repair the said Calsayes And to mantaine & vphold the same As they will be anserable

XXXIV.

The Parliament confirm the provisions of the Act of 16th March, 1649, anent the seat of the Commissary Court. 12th July, 1661.*

The Kings Maiestie and Estates of Parliament takeing to their consideration that the Cōmisser of Aberdein hes his seat of Iustice within ane village called old Aberdein wher neither procurators nor other members of court duells nor can conveniently attend So that the leidges duelling within the said dyocie of Aberdein are much damnified and disappointed of justice thereby, and that it uold tend much to the good of the leidges that the said Cōmisser did sit and administer justice uithin the burgh of Aberdein wher all other judicatories of that bounds does sit and administer justice and the members of the said Court duells. Thairfor and in regaird of the earnest desire of the Cōmissioners of the Shire and burgh and members of the Cōmissariot It wes formerlie appointed that the Cōmisser Court should sit uithin the burgh of Aberdein The Kings Maiestie uith advice and consent of his Estates of Parliament Doth ordeane That in all tyme comeing the said Cōmisser of Aberdein and his deputs Shall sit and administer justice within the burgh of Aberdein wher procurators and members of Court may attend and the leidges may be eased and not prejudged for want of their attendance And declares that thir presents shall be ane sufficient warrand for the said Cōmisser to change his seat of Iustice to the place forsaid and to sit and administer justice therein to all his Maiesties leidges in tyme comeing

XXXV.

The Parliament rescind the preceding Act of 12th July, 1661. 17th July, 1662.

Forasmuch as the Seat of the Cōmissariot of Aberdein wes formerlie in the oldtoun of Aberdein, Wher wis also the Seat of the Bishop of the diocie, And that vpon the desire of the Magistrats of the Newtoun of Aberdein before the late restitution of Bishops The Cōmissary Court wes removed and appointed to sit in the Newtoun ;

* No. XXXI., page 265, which, perhaps, was regarded as falling under the provisions of the Rescissory Act of 28th March, 1661.

And it being most iust that the Seat of the Cōmissariot be wher it wes in former tymes befor these late troubles, and wher the Seat of the Bishop is Thairfor the Kings Maiestie with advice and consent of his Estates of Parliament Ordaines and Appoints, That the Cōmissar Court of the diocie of Aberdein shall be in all tyme comeing kept at the oldtoun of Aberdein And therfor Rescinds and annulls all orders or acts made to the contrarie And declare the same voyd in all tyme comeing

XXXVI.

The Parliament remit to the Lords of Session a dispute anent the selling of grund malt in the Burgh. 5th September, 1662.

The Estates of Parliament having heard a supplication presented vnto them in name of the Cōmissioners of the Shire of Aberdein and burgh of Kintor Shewing that the Magistratis of Aberdein haveing hindered the sale of grund malt within the said burgh vpon the weekly mercat dayes therof and made acts and prohibitions in the contrare, to the great preiudice not only of the haill heritors lyve-renters wodsetters and others within the said shire and burgh of Kintor by diminishing their rentalls and Milne rents and depriving the tennents of their readiest meane to make money Bot also to the great preiudice and against the consent of the whole trades of the said burgh of Aberdein as instruments and protestations taken ther-vpon beares Humbly desireing that the Magistrats of Aberdein might be discharged from any wayes hindering of any within the said Shire to bring in and sell their grund malt within the said burgh vpon the weekly mercats thair of as the supplication beares Which with the report of the Lords of the Articles who had heard the differences betuixt the Shire and burgh of Aberdein, Being taken into consideration The Kings Maiestie with advice of his Estates of Parliament Doth remit the decydeing of the pretences of their severall Rights to the Lords of Session In relation to this particular anent the malt Allowing the Shire in the meantyme to reteane thair possession of bringing and selling their malt in the said mercat as formerlie And this without preiudice of either parties rights as accords

XXXVII.

The Parliament extend the grant of 22nd February, 1661, for a further term of nineteen years. 3rd December, 1669.*

The Kings Maiestie and Estates of Parliament haveing heard a supplication presented vnto them in name of the Magistrats and Councill of Aberdein Mentioning That the petitioners haveing been at a considerable expence for building and maintaining of an long calsay in Cowiemonth which is the ordinarie way & passage from the South to the said burgh and to that place of the North of Scotland wher the samen lyes In consideration whair of And for maintenance of the said calsay The late Parliament by their act dated the tuentie tuo day of ffebruary 1661 yeers Did grant warrand to the supplicants to impower some persone to vplift and receave ane pettie imposition from all persons travelling alongs the said calsay vīz tuo pennies scots for everie footman, eight pennies for everie horsman, and for everie load that passeth that way eight pennies, for everie ten sheip eight pennies, for every ox and kow four pennies, And tuo shilling for everie carte of whatsomever cōmoditie And that for beiting repairing and vpholding the said calsays And to endure for the space of Nyntein yeers īmediately after the date of the said act As the same of the date forsaid more fully proports And now in regaird the saids calsays are presentlie to be repaired and the ditches casten which will stand the petitioners ane considerable soume of money And that heirefter the same will be neiding always reparations for keepeing the way passable without which in the winter tyme it wer impossible either for horse or foot to travell Humbly desyring That the said imposition may be continewd for the vse aforsaid during ane longer space As the supplication at lenth bears Which with the Report of the Lords of the Articles made theranent being taken into consideration, The Kings Maiestie with advice and consent of his Estates of Parliament Hes continewd and heirby continews the impositions above written formerlie granted to the petitioners for repairing of the said calsay of Cowiemonth Conforme to the former act of Parliament of the date above written And that for the space

* No. XXXIII., p. 267.

of Nynteen yeers After the expyreing of the said former act With power to the saids petitioners, their factors or such as they shall appoint To collect intromet with and vplift the impositions above-written dureing the space forsaid And to vse all legall and fair means for vplifting of the same And to apply the moneys so collected for the vse aforsaid at the sight of Sir Johne Keith of Keithall the Lairds of Elsieck Haddo and Pitfoddells To whom or any tuo of them the Kings Mātie and Estates of Parliament Recōmends to sie this imposition effectually imployed for the vse before mentioned

XXXVIII.

The Parliament appoint Circuit Courts to be held annually in Aberdeen. 30th August, 1672.

The Kings Maiestie being Desireous that the publick Judicatories of this Kingdome might be soe regulat, that all abuses which had or might probably creep into the same be redressed and prevented; and that the best, most summar and equall way, of bringing and calling of Processis for Dispensing of Justice should be settled, as his subjects might be releived and secured against oppression and exactions, and that justice might be administrat to them with expedition and as litle trouble and charge as may be . . . For that effect . . . Ordaines . . . Concerning the Justice Courts . . .

5. That once a yeir in the moneth of Aprile or May, Circuit Courts be keiped, tuo of their number appointed to goe and keep Courts at Dumfries and Jedburgh, Tuo at Stirling, Glasgow and Aire, and other tuo at the tounes of Perth Aberdein and Inuerness; the Justice-Generall being always super-numerary in anie of these Circuit-Courts

XXXIX.

The Parliament ratify King James VI.'s Charter of 17th July, 1617, and King Charles I.'s Charter of 9th September, 1638.† 17th September, 1681.*

Our Sovereigne Lord with advice and Consent of the hail Estates of Parliament presently conveened Hes Ratified And approven And be thir presents Ratifies Approves and Confirmes Ane Chartor Granted

* No. XLIII., p. 110.

† No. XLVI., p. 155.

be King James the Sext his Māties Royall Grandfather of Blessed memorie of the date the Seventeenth of July I^{avj}^c and seventeen years To the Provest Baillies Counsell and Cōmunitie of the Burgh of Aberdeen whereby his Māties vmq^h Grandfather In relation to And by vertue of ane Act of Parliament Holden At Edinburgh The twenty Eight of June I^{avj}^c seventeen years Dissolved from the Crown and annexations thereof The said Burgh of Aberdeen &c. . . . [See page 113]. Likeas His Mātie and Estates of Parliament foresaid Have Ratified and Approven And be thir presents Ratifies approves and Confirms Ane Chartor granted by his Māties Royall father King Charles the first of blessed memorie of the date the Ninth day of September I^{avj}^c threttie eight years whereby his Mātie with consent of his Thesaurer and deput Ratified and approved The foresaid Chartor granted be his Māties said vmq^h Grandfather with the precepts of Seasing and Instruments of Seasing following thereupon And act of dissolution above mentioned with all and sūdrie other chartors Infestments precepts of seasing following thereupon . . . And whereby His Māties said vmq^h Royall father Did of new Give and Grant To them The foresaid Burgh of Aberdeen with etc. . . . [See page 167.] And Our Sovereign Lord and the Estates of Parliament Wills and Grants And for them and their successors Decerns and Ordains that this present Ratification of the foirsaidis tuo chartors and Instruments of Seasing following thereupon And other acts Chartors and other writs particularly and generallie therein mentioned And of the foresaid Gift granted be Our Sovereign Lord to the Provost Baillies Counsell and Cōmunitie of the said Burgh Is and shall be als valide and sufficient And of als great force strength and effect To the saids Provest Baillies Counsell and Communitie of the said Burgh And all and sundrie, lands heretages, fforrests milnes woods fishings, Offices, Casualties liberties priviledges Immunities and others whatsoever Contained in the saids Chartors and otherwayes belonging thereto And for uplifting exacting and receaveing the hail Impositions above mentioned Contained in the said Gift for the use and during the space therein contained As if the samen Chartors precepts of Seasing, Acts and others particularlie and generallie above specified and therein mentioned Together with the foresaid Gift under his Māties great Seale were all at length word by word Insert, Ingrossed and contained

in the said Ratification thereof Notwithstanding that the samen be not sua done Whereanent and with all other defects and imperfections whatsoever which may be proponed or alledged against the foresaids tuo Chartors precepts of Seasings Acts Chartors and other writs above specified therein mentioned Or against the said Gift granted by his M^{tie} to the said Burgh under his Highnes great seale Or any of them Or against this present Ratification thereof Our Sovereign Lord And Estates of this present Parliament Have dispensed And hereby dispenses for ever.

XL.

The Privy Council appoint a voluntary contribution to be collected throughout Scotland towards repairing the Harbour of Aberdeen. 7th July, 1682.

Forasmuch, as there being a Petition given in to the Lords of His Majesties Privy Council, by the Magistrates, and Town-council of Aberdeen, Representing, that the town of Aberdeen having a considerable Sea trade within themselves, and which is of a considerable advantage to the Countrey, and without a good Harbour, cannot be well mannaged; and at the entry thereto, near the mouth of the River of Dee, there being by stress of Weather, several Banks casten up, and which is likewise, partly occasioned by the diversion of the current of the River, which, when running in the middle Channel, did cleanse the entry of the Harbour from Sand and Banks; and after serious and deliberate advice, its found, that the River cannot well be preserved, in running its due course, without having a Bulwark upon the North shore, as there is one already on the south side thereof; and whereby the Stream will run in the middle, the building whereof at an equal computation, will cost at least one thousand pound sterling, besides the reparing of the Key alongst the Shore, which is of a considerable length; and which expenses, the Town in regard of the publick burdens, and great debt they,ly under, of themselves, are not able to defray it, without that by the Councils Act, they have some assistance of their neighbours, by way of general Collection, as is usual to be granted in the like cases; and as the town of Aberdeen hath never hitherto been burdensom to their neighbours, in addresses

of this nature, so they were never wanting to contribute to the utmost of their power, in the assisting the building of all publick Works, when occasion required ; and as the Harbour of Aberdeen is of necessary use, to preserve the Trade of that place, so the keeping up, and maintaining of the same, is of no less concern to the hail Liedges, and which inevitably will ruine without present supply ; And therefore humbly Supplicating, that a voluntar Contribution might be granted, in manner under-written, towards the Building and Repairing of the said Harbour. The Lords of His Majesties Privy Council, having heard and considered the foresaid Petition, Do hereby grant Order and Warrant, for a voluntar Contribution to be Collected through the hail Kingdom, towards the Building and Repairing of the said Harbour of Aberdeen ; and Recommend to the Arch-bishops and Bishops, to cause the Ministers in their respective Diocesses, to make intimation of the said Contribution, in their several Paroch Kirks, upon the Lords Day And ordain Alexander Anderson, present Town Thesaurer of Aberdeen and his successors in the said Office, for the time being, to uplift and Collect the foresaid voluntar Contribution, in regard sufficient Caution is found for them, that what Money shall be Collected, shall be made forthcoming, and imployed to the use foresaid, and to be countable therefore, when required.

XLI.

The Parliament rescind the Act of 17th July, 1662, anent the seat of the Commissary Court. 22nd July, 1690.*

Our Sovereigne Lord and Lady The King and Queens Majesties with the Advyce and consent of the Estates of Parliament Considering That the Commissar Court of Aberdeen was alwayes in use to sitt and be holden within the burgh of Aberdein as Head burgh of the shyre most commodious for the Leiges who resort thither about their lawfull affaires, and for the whole members of the Court who have their residence in the said burgh untill the yeare 1st 1662 and sixty tuo that Episcopacie was established, At which tyme there was ane act of Parliament impetrate Ordaneing and appointing the said Commissar Court to sitt in the old

* No. XXXV., p. 269.

toun of Aberdein in respect the samine was the Bishop of Aberdeins seat, And now seeing that Episcopacy is now abolished and that the said burgh of Aberdein is not only the place where the said Commissar Court was in use to sitt and be holden before the said Act, but alsoe is the most commodious both for the Leidges and members of Court for the cause above written Therefore their Majesties with advyce and consent of the Estates of Parliament hath thought fitt to Rescind and hereby Rescinds the forsaid act of Parliament appointing the said Cōmissar Court to sitt and be holden within the old Town of Aberdein And Ordaines the present Cōmissars of Aberdein and their successors to sitt, affix and hold their ordinary Courts within the said burgh of Aberdein Notwithstanding of the forsaid Act or any other act to the contraire.

XLII.

The Parliament renew King Charles II.'s grant (of 30th September, 1678) to the burgh of certain excise duties. 16th July, 1695.*

Our Sovereign Lord considering that the Toun of Aberdeen one of the most eminent of the Burghs Royal of this Kingdom both for Trade Policy Learning and Loyalty hath these many years bygone and ever since the beginning of the late intestine troubles anno One thousand Six hundred and fourty sustained great Sufferings and loses not only by their being subject to quarterings and other publick burdens but also by their being exposed to the frequent Incursions of Enemyes who have plundered their goods and wasted and destroyed their corns and houses And particularly by their being insulted invaded and opprest since the late happy Revolution by the Highland Rebels under the command of Major-General Buchan Likas the sufferings and losses of the said burgh, having been formerly taken into consideration were by Act of Parliament† Estimāt and stated to no less than nyne hundred and twenty sevin thousand merks which moved his late Majesty King Charles the Second to give to the s^t Burgh in the year One thousand Six hundred sevinty eight an gift of the Imposition of four pennies scots on the pint of ale and drinking beer with other

* No. LI., p. 207.

† No. XXX., p. 264.

Impositions on wine brandy and other Commodities therein mentioned for the space of eleven years which though it proved some relieffe to the said Burgh to prevent their utter undoing yet it did fall farr short of defraying all their debts so that to this day they are in no less than one hundred and twenty thousand pounds scots of burden for payment of the annual rent quherof they are necessitat to tax their Inhabitants yearly the Toun good not being able to pay the saids annual rents with the other necessary charges and expenses of the Burgh Likas there is a present necessity for mending and repairing their peer and harbour which tends not only to the privat advantage of the said Burgh and Community, but likewise to the common good and interest of the whole Nation And his Majesty finding nothing more just and easie for the relieffe of the said Burgh and its Inhabitants than that a gift of the forsaid former Impositions should be renewed in their favours seeing the same for the most part will be payable by themselves Therefore His Majesty with the advice and Consent of the Estates of Parliament Gives grants and Dispones to the Provest Baillies and Toun Council of the said Burgh for the use and in name of the Community thereof, the Imposition of two pennies Scots on every pint of ale browen and vended within the said Burgh and its liberties with fifty pounds money forsaid on every Tunn of ffrench wine and fifty pounds on every butt of Sack Spanish or Ranish wine Tue shilling Scots on every pint of brandy wine imported or of strong waters or aquavitaë imported browen or vended within the said Burgh All which Impositions are to be uplifted from and payed by the Sellers or Vintners of the wine, ale, drinking beer, brandy aquavitaë, strong waters the brewars of malt As also his Majesty with advice and consent forsaid Statutes and ordains that the money to be raised by the Impositions above written shall be waired out and employed at the oversight and by the advice of the Earles of Erroll and Kintore and Sr Thomas Burnet of Leyes and the present Commissioners for the shire of Aberdeen to the Parliament to the effect the samen may be rightly managed for the ends and uses above specified And which Impositions upon the wine ale and other liquors shall be without prejudice and over and above the ordinar and annexed excise payable to his Majesty And the forsaid haill Impositions are to endure the space of thretteen years after the date hereof With power to the

foirsaidis Magistrats and Toun Council to uplift the same and if need beis to poynd Distrinzie and use all other lawfull diligence for ingathering thereof as they are in use to do for any of their ordinar Customs and other parts of their publick good and revenue As likewise to appoynt Collectors one or more for the end forsaid, or to farm and sett the same in great as they shall judge convenient Providing allwayes likas it is hereby provided that the saids Magistrats Town Council and their Successors Administrat the forsaid Impositions faithfully and imploy the same carefully, for payment of their debts in the first place, and next for repairing of their harbour and other publick works belonging to the Burgh by the advice forsaid as they will be answerable And notwithstanding that the forsaid Imposition is granted for the space of thretteen years yet it is hereby Declared that if within the forsaid time the whole debts of the said Burgh shall be compleatly payed And the said harbour with the other publick buildings repaired That then and in that case the forsaid Imposition shall terminat and the Inhabitants shall be no longer lyable in payment of the same

XLIII.

The Parliament appoint one of the Representatives of Scotland in the British Parliament to be chosen by Aberdeen, Inverbervy, Montrose, Arbroath and Brechin. 5th February, 1707.

Our Sovereign Lady Considering that by the twenty second Article of the Treaty of Union as the same is ratified by ane Act past in this Session of Parliament upon the sixteenth of January last It is provided that by virtue of the said Treaty of the Peers of Scotland at the time of the Union Sixteen shall be the number to sit and vote in the House of Lords and Fourty five the number of the Representatives of Scotland in the House of Commons of the Parliament of Great Britain ordains that of the said Fourty five Representatives of Scotland in the house of Commons in the Parliament of Great Britain Thirty shall be chosen by the Shires or Stewartries and Fifteen by the Royall Burrows as follows viz . . . The burghs of Aberdeen Inverbervy Montrose Aberbrothock and Brechin one . . .

XLIV.

The Parliament continue the grant of 16th July, 1695, for the further space of twenty-five years. 25th March, 1707.*

Our Sovereign Lady and Estates of Parliament considering a Petition given in by the Provost Baillies and Council of Aberdeen Representing the expence they have been brought to by the reparation and building of a bulwark for supporting their harbour by the reparation of their prison and expence they will be put to in bringing water into the Toun By which and their former debts they are reduced to straits and therefore Craving a prorogation of a former gift in their favors for the space of twenty five years after outrunning thereof Therefore Her Majesty and Estates foresaid Do hereby Ratifie and Approve the said former Act in their favors which is dated the sixteenth day of July 1^m vj^c and ninety five And after expiration thereof Prorogate the same for the space of twenty five years more to be uplifted and collected by them in such form and manner during the said twenty five years as they shall think fit They being always obliged to apply the sum so uplifted by virtue of this and the former gift towards the payment of the principall sums due by them in the first place And that at the sight of the Earl of Seafeld Lord High Chancellour the Earl of Mar Lord Secretary the Earl of Erroll Earl Marischall Earl of Kintoir the Lords Forbes and Fraser Sir Thomas Burnet of Leyes and the present Commissioners to the Parliament for the shire of Aberdeen to whom from year to year they are to be accountable for their management With the burden always of fourty pounds Sterling yearly during the continuance of this and the former gift towards a sallary to Doctor Thomas Bowar Regius Professor of Mathematicks in the Kings Colledge of Aberdeen and his successors in office payable at two terms in the year Whitsunday and Martinmas by equal portions beginning the first terms payment at Whitsunday next And thirty pounds Sterling payable at Whitsunday and Martinmas next by equall portions to Alexander Baillie servitor to the Lord Register or his assigns in part payment for his great pains and expence in putting in order the Records and Warrands in the Lower Parliament house Making Inventories of the

* No. XLII., p. 276.

books and Searching out and writing a register of the old Publick Treaties betwixt this and other Nations And Ordain the Magistrats of the said Burgh to pay the said respective sums accordingly And to the effect the said Toun of Aberdeen may be the better inabled to pay the said sum of fourty pounds Sterling yearly to the said Doctor Bowar and his successors and the said Thirty pounds Sterling to the said Alexander Baillie in manner forsaid out of what arises from the said gift And in regard they have severall publick and useful works of their own to finish and carry on for the publick utility Therefore Her Majesty and the Estates of Parliament Extend the imposition upon Liquors mentioned in their said gift to what shall be brown and vended in the old toun of Aberdeen, Colledge bounds Spittle and Seaton, from and after the said term of Whitsunday next And Statut and Ordain That all liquor brown and vended in the said old toun Colledge bounds Spittle and Seaton, from that term and during the continuance of this gift shall be lyable to the same imposition on liquors that are brown and vended in the New-toun, And that the said Toun of Aberdeen their Collectors or tacksmen may levy collect and uplift the said imposition during the space foresaid in the same way and manner as they have levyd and collected or shall levy and collect the same from their own brewars and retailers And Declare this Act to be as effectual as if it had been contained in their first gift hereby prorogated

ACTS OF THE BRITISH PARLIAMENT.

Subjoined are the titles of the principal Acts affecting the Burgh of Aberdeen of date subsequent to the Union.

8 George I., c. xxviii.

An Act for supplying the Records of the Commissary Court of Aberdeen, burnt or lost in the late Fire there. 7th March, 1721.

9 George I., c. xxv.

An Act for making more effectual an Act passed in the Eighth year of His present Majesty's Reign, Intituled, An Act for supplying the Records of the Commissary Court of Aberdeen, burnt or lost in the late Fire there. 27th May, 1723.

4 George II., c. xlii.

An Act for the further continuing the Duties granted by an Act passed in the Parliament of *Scotland* in the year One thousand six hundred and ninety five,* and continued by an Act passed in the Year One thousand seven hundred and seven,† for payment off the Debts of the Town of *Aberdeen*, and for the other publick Uses of the said Town. 7th May, 1731.

13 George III., c. xxix.

An Act for deepening, cleansing, and making more commodious, the Harbour of Aberdeen; for erecting new Piers and Quays therein; and for regulating Ships and Vessels trading into, and going out of, the said Harbour. 1st April, 1773.

35 George III., c. xli.

An Act to continue the Term and alter and enlarge the Powers, of an Act, made in the Thirteenth Year of the Reign of His present Majesty, intituled an Act for deepening, cleansing and making more commodious, the Harbour of Aberdeen; for erecting New Piers and Quays therein; and for regulating Ships and

* No. XLII., p. 276.

† No. XLIV., p. 279.

Vessels trading into and going out of, the said Harbour. 28th April, 1795.

35 George III., c. lxxvi.

An Act for the better paving, lighting, cleansing and otherwise improving the Streets, Lanes and other Publick Passages of the City of Aberdeen, and the Roads and Avenues within the Royalty thereof; for the better supplying the Inhabitants with fresh Water, and for the removing and preventing all Obstructions and Annoyances within the said City and Royalty. 19th May, 1795.

36 George III., c. lxxviii.

An Act for making and maintaining a Navigable Canal from the Harbour of Aberdeen, in the Parish of Aberdeen or Saint Nicholas, into the River Don, at or near the South end of the Bridge over the same (adjacent to the Royal Burgh of Inverurie), in the Parish of Kintore, all within the County of Aberdeen, North Britain. 26th April, 1796.

37 George III., c. ci.

An Act for enlarging and improving the Harbour of Aberdeen; for building new Quays, Wharfs and Docks; and for making new Roads and Passages, and widening others leading to and from the said Harbour. 4th July, 1797.

39 and 40 George III., c. xi. (Local.)

An Act for opening and making Two new Streets in the City of Aberdeen. 4th April, 1800.

41 George III., c. iii. (Local.)

An Act for better enabling the Company of Proprietors of the Aberdeenshire Canal Navigation to complete the same. 24th March, 1801.

42 George III., c. xl. (Local.)

An Act for building and maintaining a House of Correction in and for the City and County of Aberdeen, and for raising a Fund for defraying the Charges of apprehending, prosecuting and subsisting Criminals, Rogues and Vagabonds found within the said City and Liberties thereof. 7th May, 1802.

48 George III., c. xx. (Local.)

An Act for altering and enlarging the powers of so much of an Act of the Forty-second Year of his Majesty's Reign, as relates

to building and maintaining a House of Correction in and for the City and County of Aberdeen. 14th April, 1808.

49 George III., c. iii. (Local.)

An Act for better enabling the Company of Proprietors of the Aberdeenshire Canal Navigation to raise the necessary Fund to complete the same. 13th March, 1810.

50 George III., c. lxx. (Local.)

An Act to amend several Acts of the Thirteenth, Thirty-fifth and Thirty-seventh Years of His present Majesty for deepening and making more commodious the Harbour of Aberdeen. 18th May, 1810.

53 George III., c. clvii. (Local.)

An Act for further improving the Harbour of Aberdeen. 22nd June, 1813.

54 George III., c. c. (Local.)

An Act for erecting and maintaining a new Court House and other offices for the City and County of Aberdeen, and for providing and maintaining an additional Gaol for the City and County, and for other purposes relating thereto. 17th June, 1814.

58 George III., c. lix. (Local.)

An Act for better Paving, Cleansing, Lighting, Watching, and Improving the Streets, Lanes and other Public Places and Passages of the City of Aberdeen, and the Roads and Avenues within the Freedom and Royalty thereof; and for supplying the Inhabitants of the said City with Water. 23rd May, 1818.

59 George III., c. xxxiii. (Local.)

An Act to alter and amend an Act of the fifty-fourth year of his present Majesty, for erecting and maintaining a new Court House and other offices for the City and County of Aberdeen, and for providing and maintaining an additional Gaol for the said City and County and for other purposes relating thereto. 19th May, 1819.

6 George IV., c. lix. (Local.)

An Act for Building a Bridge over the River Don near the village of Balgownie or Polgownie in the Parish of Old Machar and County of Aebdeen. 20th May, 1825.

6 George IV., c. lxxv. (Local.)

An Act to alter and amend two Acts of the fifty-fourth and fifty-ninth years of his late Majesty for erecting and maintaining a new Court House, and other offices for the City and County of Aberdeen; and for providing an additional Gaol for the said City and County; and to provide a safe and convenient place for the custody and preservation of the Public Records of the said City and County, and for other purposes connected therewith. 20th May, 1825.

10 George IV., c. xxxiv. (Local.)

An Act for the Improvement of the Harbour of Aberdeen. 14th May, 1829.

10 George IV., c. xli. (Local.)

An Act for better Paving, Cleansing, Lighting, Watching, and Improving the Streets, Lanes and other public places and passages within the City of Aberdeen, and certain grounds adjacent, for regulating the Police thereof, and for supplying the Inhabitants with Water. 14th May, 1829.

2 and 3 William IV., c. LXV. (Public.)

An Act to amend the Representation of the People in Scotland. 17th July, 1832.*

6 and 7 Vict., c. lxxii. (Local.)

An Act for Improving and Maintaining the Harbour of Aberdeen. 12th July, 1843.

14 Vict., c. xxxviii. (Local.)

An Act for erecting and maintaining new Public Offices for the County of Aberdeen; for altering and enlarging the present Record Office of the County, and for other Purposes. 5th June, 1851.

25 and 26 Vict., c. cciii. (Local.)

An Act for paving, cleansing, lighting, watching, draining and improving the City of Aberdeen and adjacent Districts; for regulating the Police thereof; for supplying the Inhabitants with Water, and for other purposes. 7th August, 1862.

28 and 29 Vict. c. ccxl. (Local.)

An Act for more effectually maintaining and keeping in repair

* Town of Aberdeen to return one member.

the Roads, Highways, and Bridges, in the County of Aberdeen ;
for making New Roads in the said County ; and for other purposes.
5th July, 1865.

29 and 30 Vict., c. civ. (Local.)

An Act for erecting and maintaining a new Court House, Town House, County and Town Hall, Police and other County and Municipal Buildings and Offices for the County and City of Aberdeen ; and for other purposes. 28th June, 1866.

29 and 30 Vict., c. XCIII. (Public.)

An Act to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act 1862" relating to the Burgh of Aberdeen. 10th August, 1866.

30 Vict., c. li. (Local.)

An Act to amend "The Aberdeen Police and Waterworks Act 1862" and to authorise the Commissioners of Police to raise further sums of money for the purposes thereof. 31st May, 1867.

31 and 32 Vict., c. cxxxviii. (Local.)

An Act for improving and maintaining the Harbour of Aberdeen. 13th July, 1868.

31 and 32 Vict., c. 8. (Private.)

An Act to provide for the vesting and management of certain Funds held in trust by the Town Council of Aberdeen ; and for other purposes. 31st July, 1868.

34 and 35 Vict., c. xcvi. (Local.)

An Act to confer further Powers on the Aberdeen Harbour Commissioners. 13th July, 1871.

34 and 35 Vict., c. cxli. (Local.)

An Act to extend the Municipal Boundaries of the City of Aberdeen ; and for other purposes. 13th July, 1871.

42 and 43 Vict., c. lxxxviii. (Local.)

An Act to confer further Powers on the Aberdeen Harbour Commissioners. 3rd July, 1879.

44 and 45 Vict., c. lxxiii. (Local.)

An Act to confer further powers on the Lord Provost, Magistrates and Town Council of the Royal Burgh and City of Aberdeen, for municipal, police and other purposes. 27th June, 1881.

46 Vict., c. viii. (Local.)

An Act to continue and amend the Aberdeenshire Roads Act 1865; and for other purposes. 31st May, 1883.

46 and 47 Vict., c. lx. (Local.)

An Act to extend the municipal boundary of the city of Aberdeen; to authorise the Town Council to make new streets, execute certain street improvements, and construct a connecting railway to the Gasworks; and for other purposes. 29th June, 1883.

47 and 48 Vict., c. cviii. (Local.)

An Act to confirm a Provisional Order made under the Artisans' and Labourers' Dwellings Improvement (Scotland) Acts, 1875 and 1880, relating to the improvement of the Burgh of Aberdeen. 14th July, 1884.

48 and 49 Vict., c. XXIII. (Public.)

An Act for the Redistribution of Seats at Parliamentary Elections, and for other purposes. 25th June, 1885.*

48 and 49 Vict., c. cxxiii. (Local.)

An Act to authorise the Lord Provost, Magistrates and Town Council of the Royal Burgh and City of Aberdeen to construct additional Waterworks; and for other purposes. 22nd July, 1885.

* Town of Aberdeen to return two members.

· PART III.
MISCELLANEOUS WRITS.



MISCELLANEOUS WRITS.

I.

W 7 R pmissione diuina sã Andr^o 7 Glasgueñ Epī · Duncan^o Coñ de ffyf · Aleẏ Cumy Coñ de buchn qst 7 Iust Scoč Iohes Cumy · 7 Jacobus señ Scoč custodes Regni Scoč de coñuni qsilio qstituti Omibz pbis hoibz eiusdē regni ad quos psentes tre puenerint · Saft · Sciatis q constituim^o loco nři · Religiosos viros Andreā · 7 hugonē · de Cupir 7 de Scoñ Abbates · Cristinū de Insula · Iohem Ailbot 7 Iohem filiū Ricardi burgeñ de Pē vel eox t̄s aut duos · apđ Scoñ die Iouis p̄ post ascensionē dñi p̄ futuř ad audiendū 7 t̄minandū iuste 7 scđm assisam tre loq̄lam seu q̄relam motā in burgeñ 7 communiā de Abirdeñ ex vna pte · et burgeñ et q̄muniā de Munros ex altera · Sup nūdinis villaẏ de Abirden 7 Munros Scđm tenorē Cartay suay q̄s inde hnt · Q̄re vob mandam^o 7 pcipim^o q̄tin^o dēis Andř 7 hugoni Abbatibz · Cristino · Iohi 7 Iohi · bur-

I.

The guardians of the kingdom appoint a commission to settle a dispute anent fairs between the Burghs of Aberdeen and Montrose. 8th May, 1287.

WILLIAM and ROBERT, by divine permission Bishops of St. Andrews and Glasgow; Duncan, Earl of Fife; Alexander Cumyn, Earl of Buchan, Constable and Justiciar of Scotland; John Cumyn and James, Steward of Scotland, Guardians of the kingdom of Scotland, appointed from the General Council, to all good men of the same kingdom to whom the present letters shall come, greeting. Know ye that we have appointed in our place the godly men Andrew and Hugh, Abbots of Cupar and Scone; Cristinus de Insula, John Ailbot, and John, son of Richard, burgesses of Perth, or three or two of them, [to meet] at Scone on Thursday next after the Ascension of our Lord next to come, to hear and terminate, according to justice and the assize of the land, the dispute or quarrel arisen between the burgesses and community of Aberdeen on the one part and the burgesses and community of Montrose on the other, touching the fairs of the towns of Aberdeen and Montrose, according to the tenor of their charters which they hold thereanent. Wherefore we command and order you to attend on and answer anent the premises the said Andrew and Hugh, Abbots, Cristinus, John and John, bur-

gensibus vel eorū libus aut duobus · Taq^a loco nū qstitutis sitis in pmissis intendentes ⁊ respondentes · In cui⁹ rei Testimoniū has lras patentes sigillo regimini regni Scoē deputato · fecim⁹ sigillari · dat apud Edinburg octauo die Maij Anno gře m^o cc^o octogō septimo

II.

Viris puidis discretis custodibus regni Scoē de cā qsilio constitutis ⁊ cetis magnatibus eiusdē consilii residentibus · ppositi ac ceti burgenses cōmune de Banff Salū ⁊ debitam ad honoris obsequia reuerenciam · Vob grau^l conquerendo monstamus qd cū dñs Ale^x qndā rex scoē inclite recordaōnis qsdam nūdinas in burgo de Aberdiū tenendas ⁊ hndas ad utilitatē nām et aliorū burgorū ex aquilonari pte monciū existienciū p cartam suam concessisset et imppetuū confirmasset · que qdē nūdine p burgenses de Munros inpediuntur ⁊ singlis annis pturbantur in nō modi-

gesses, or three or two of them, appointed in our place. In witness whereof we have caused these letters patent to be sealed with the seal of the regency of the kingdom of Scotland. Given at Edinburgh on the eighth day of May, in the year of grace one thousand two hundred and eighty-seven.

II.

The provost and burgesses of Banff entreat the guardians of the kingdom to cause King Alexander's Charter to the Burgh of Aberdeen to be duly observed. 1289.

To the wise and prudent men, Guardians of the kingdom of Scotland, appointed from the General Council, and to the remanent resident Magnates of the same Council, the provosts and remanent burgesses of the community of Banff, greeting and reverence due to a position of honour. We, sorely complaining, do point out to you that whereas our Lord, Alexander, umquhile King of Scotland, of renowned memory, did by his charter* grant and for ever confirm certain fairs to be held and had in the burgh of Aberdeen for the benefit of us and of other burghs lying to the north of the mountains; which fairs are obstructed and every year disturbed by the burgesses of Montrose, to the no small prejudice and injury of the foresaid burgh of Aberdeen, and indeed of the

* No. IV., p. 8.

cū p̄iudiciū ⁊ ḡuam̄ p̄fati burgi de Abdiñ immo tocius p̄uncie ex aquilonari p̄te · Q̄re v̄re discretōi redende humili^l Supplicam⁹ attentius petentes q̄tinus tenorē carte sup̄ius nominate d̄co burgo de Abdiñ concessē p̄p̄ utilitatē pupplicam ac necessitatē d̄coꝝ burgensiū de Abdiñ illesū si placet s̄c̄dm̄ l̄btates infra cartam suam contentas obs̄uari faciatis · Ita ne occasione inquietaçonis seu pturbaçonis d̄coꝝ burgenciū de Munros ult̄ius dampnū seu iactura nob̄ inferatur n' inde ma^lia conquerendī p̄ def̄cū iusticie nob̄ tribuat^r · In cui⁹ rei testimoniū sigillū n̄rm̄ cōmune h̄iis tris patentibus est appensū Da^r a^pd Banff do^aca p̄x ante carni^puū Anno dñi · m^o · cc^o · octog^o · nono

III.

R · & supior dñs regni Scot' d̄lto & fideli suo · Iohi de Gildeford custodi castroꝝ de Aberden & Kyncarden saltm Cum Iohes de Balliolo nup in plamento n̄ro apud Berewik sup Twedam venisset coram nob̄ & petivisset p̄dtm̄ regnū Scotie sibi p̄ nos adjudicari et seisinam ip̄ius regni

whole northern province : Wherefore, we humbly petition your esteemed discretion, earnestly entreating you to cause the tenor of the above-mentioned charter, granted to the said burgh of Aberdeen for the public benefit and the need of the said burgesses of Aberdeen, to be observed unimpaired, if so it seem good, according to the privileges contained in their charter : so that no further loss or detriment may be inflicted upon us by reason of agitation or disturbance caused by the said burgesses of Montrose, and no matter of complaint be brought up against us on the plea of injustice. In witness whereof our common seal is appended to these letters patent. Given at Banff on the Sunday next before Lent, in the year of our Lord one thousand two hundred and eighty-nine.

III.

King Edward I. orders sasine of the Castles of Aberdeen and Kincardine to be given to John of Balliol. 18th November [1292].

The King and governor of the kingdom of Scotland to his beloved and trusty John of Gildeford, keeper of the castles of Aberdeen and Kincardine, greeting. Whereas John of Balliol recently appeared before us in our parliament at Berwick-on-Tweed, and craved that the foresaid kingdom of Scotland be adjudged to him by us, and that sasine thereof be given, by right of succession,

s' ut pximiori heredi Margar' fit reg' Norwag' dne Scoť & neptis quondam Alexi ultimi reg' Scot' jure successionis liberari Ac nos auditis & intellectis petitionib; & rōnib; tam p̄diti Iohis de Balliolo q' alioꝝ petentium p̄d̄tm regnū & eisdem petitionib; & rōnib; diligenť examinatis invenim⁹ p̄fatum Iohem de Balliolo esse p̄pinquiorem heredem p̄d̄te Margar' quod p̄d̄tm regnū Scot' optinend' p̄pť quod idē regnū Scot' & seisinam ejusdem eidem Iohi de Balliolo salvo jure n̄ro & heredum n̄roꝝ reddidim⁹ Vob mandam⁹ qđ seisinam p̄d̄toꝝ castroꝝ de Aberden and Kyncardyn cum om̄ib; p̄tin' una cū om̄ib; aliis reb; vob p cyrog^asum t̄ditis & scđm qđ in p̄d̄toꝝ castroꝝ vob cōmissa custodia res huj⁹ modi recepistis sine difone p̄d̄to Iohi de Balliolo vť attornatis suis has tras deferentib; deliberari fac' In cuj⁹ &c apud Berewik sup Twedam xviii^o die Nov'

IV.

Anno Dñi, Indictōe, et loco proximo prenotatis, mensis Julij die decimo septimo, presentib; nobilibus viris dñis, Waltero de Bello

to him as next heir of Margaret, daughter of the King of Norway, Queen of Scotland, and granddaughter of umquhile Alexander, last King of Scotland; and whereas, having heard and understood the petitions and pleas both of the foresaid John of Balliol and of other claimants of the foresaid kingdom, and having diligently examined the foresaid petitions and pleas, we have found the foresaid John of Balliol to be the next heir of the forcsaid Margaret with regard to the succession to the foresaid kingdom of Scotland; wherefore we have delivered the same kingdom of Scotland and sasine thereof to the same John of Balliol, saving the rights of ourselves and our heirs: We command you to give, without delay, to the foresaid John of Balliol, or his attorneys bearing his letters, sasine of the foresaid castles of Aberdeen and Kincardine, with all pertinents, together with all other things entrusted to you by our signature, and according to your instructions in the custody of the foresaid castles. In witness, &c. At Berwick-on-Tweed, the eighteenth day of November.

IV.

*The burgesses and community of Aberdeen do homage to King Edward I.
17th July, 1296.*

The year of our Lord, indiction, and place [Aberdeen] aforesaid, on the 17th day of the month of July, in presence of the noble men, Walter de Bello

Campo, et Johanne Tregotz, militibz, dñis Johanne de Drokenesford, et Johanne de Benestede, Wiffo de Meltoñ, Roþo de Cotingh^m, Johanne de Wyntonia, et Galfrido de Stokes, clicis, testibz uocatis et rogatis, cum aliis q^mpluribz, et me Noñ subscripto, Nobiles, viri, dñi Duncanus de Ferndragh, Patricius de Berkelye, Hugo de la Haye, Reginaldus le Cheen, Johannes Herberti de Makeswelle, Joñes dñs de Makeswelle, et Wiffs de Mohaut, milites, dñs Heruius de Crambath decanus Dunkeldeñ, Joñes filius Randulphi de Petscotyn, Roþs de Walghoþ, Roþs le Fauconer, Wiffs de Inays, et Burgenses et cõmunitas ciuitatis Abirdoñ, non ui nec metu coacti ut dicebant, s; spontanei ad fidem et uoluntatem dñi Regis Angt memorati venientes, confederaciones, contract^s, cõuenções et pacta quocũq, nomie censeant^r, si que vnq^m suo nomie cũ Rege Fⁿcoz q^a dẽm dñm regem Angt inite extitissẽt, q^atenus in eis fuit, et ipos contingebant, penit^s anullarũt, et eisdem, vi, forme, et effectui eaydem, cũ oĩ cõmodo quod exinde sibi uel suis poñt prouenire quomodolibz in fuřm, sponte, pure, et absolute expresse renunciarũt organo uiue uocis, et tactis sacrosçis et osculatis Dei Euⁿgeliis in subscripta forma fidelitatem fecerũt dño Regi Angt

Campo and John Tregotz, knights; John of Drokenesford and John of Benestede, William of Melton, Robert of Cottingham, John of Wynton and Galfrid of Stokes, clerks, witnesses, called and summoned, with many others; and of me, notary, subscribing: the noble men Duncan of Frendraught, Patrick of Berkeley, Hugh of the Hay, Reginald le Chen, John, son of Hubert of Maxwell, John, Lord of Maxwell, and William of Mowat, knights; Hervy of Crambath, dean of Dunkeld, John, son of Randolph of Pitscottie, Robert of Wauchop, Robert Falconer, William of Innes, and the burgesses and community of the city of Aberdeen, not driven by force or fear, as they said, but of their own accord coming in trust and goodwill to the said King of England, did altogether renounce, so far as in them lay, the alliances, contracts, conventions and compacts, by whatever name called, that at any time were in force in their name with the King of France against the said King of England; and, by word of mouth, did freely, simply and wholly abjure the same in force, form, and effect, with every advantage that could in any way accrue therefrom to them and theirs in future; and, having touched and kissed the holy Gospels of God, did, in form underwritten, do homage to the said King of England, and, anent the homage thus made, did execute their

memorato, et super fidelitate sua sic facta, suas patentes fecerunt litteras sepatas, suis sigillis pendentib; consignatas, tenores qui secuntur continentes. . . . Item . A touz ceaus qui cestes lettres verront ou orront, les Burgoys é la Cōmunauté de la vile de Abredeñ, saluz . Pur ceo qe nous sumes venuz á la foi é á la uolunte du tresnoble Prince nre chier Seigneur Edward par la grace Dieu Roi Dengleterre, Seigneur Dirland, é Ducs Daquitaigne, nous promettoms pur nous, é pur nos heirs, sur peine de cors é dauoir, é sur q^{nt} qe nous peussoms encoure, qe nous li seruiroms, bien é leaument contre totes gentz qui purront viure é morir, totes les foiz qe nous serroms requis ou garniz de par nre Seigneur le Roi Dengleterre auantdit, ou par ses heira, é qe nous leur damage ne sauroms, qe nous nel destorbeoms á tot nre poer, é le leur faceoms á sauoir . É á cestes choses tenir é garder, nous obligeoms nous é nos heirs, é touz nos biens, é outre ceo auoms jurez sur seintes Eu^{ng}eiles . En tesmoignance de queu chose, nous auoms fait faire cestes lettres ouertes sealées de nre cōmun seal . Donées a Abirdeñ le disecime Jour de Juyl Lan de Regne nre Seigneur le Roi Dengleterre vintisme quart

separate letters patent, confirmed by their seals attached, of the tenor as follows: . . . To all who shall see or hear these letters the burgesses and community of the town of Aberdeen, greeting. Whereas we have come in trust and goodwill to the most noble prince and our dear Lord Edward, by the grace of God King of England, Lord of Ireland and Duke of Aquitaine, we promise, on our own part and on that of our heirs, under pain of person and property, and of whatsoever else we possess, that we will serve him well and loyally against all people that can live and die, whensoever we may be called on or summoned by our Lord aforesaid, the King of England, or by his heirs, and that we shall know no hurt to them, that we will defend them with all our power; and this we will give them to know. And to hold and keep these conditions we bind ourselves and our heirs, and all our goods, and further we have sworn on the Holy Gospels. In witness whereof we have caused these letters patent to be sealed with our common seal. Given at Aberdeen, the sixteenth day of July, the twenty-fourth year of the reign of our Lord, the King of England.

V.

R ditto sibi Wiffo le Betour saïtm Quia p expeditōe guerre nre Scot' auxilio tam marinariorū q^a aliorū plurimum indigemus nos de diligentia & fidelitate vra spali⁹ confidentes constituim⁹ vos capitaneū nr̄m marinationū naviū de Hertelpol de Novo Castro sup Tynam de Berewico sup Twedam ac aliorū locoꝝ in⁹ Hertelpol & Aberden in subsidiū obsidionis castri nr̄i de Aberdene amovende et ad alia que ad expeditōem nr̄am cont^a Scotos inimicos & rebelles nros in ptibz illis atingūt virili⁹ faciend' put diffus et fidelis nr̄ Gilbs Petche & . . . camar'. nr̄ Scot' vob ex pte nra plenius injungēt Et ideo vob mandam⁹ qd ad hoc omibz aliis pmissis modis oibz intendatis Mandam⁹ autē oibz et singlis magris naviū & marinar' p̄tis qd ad pfiscend' vobiscū una cū navibz suis & hoibus armis competentibz bene munitis ad pmissa potent⁹ & virili⁹ faciend' put & quotiens ip̄os marinar' pmuniend' dux⁹itis ex pte nra vob peant & intendant In cuj⁹ &c apud Wyndes' x die Jul'

V.

King Edward I. appoints William le Betour Captain of the Navy to assist in raising the Siege of the Castle of Aberdeen. 10th July [1308].

The King to his beloved William le Betour, greeting. Whereas we are much in need, for our invasion of Scotland, both of sailors and of others, specially trusting in your diligence and faithfulness, we have appointed you captain of our navy at Hartlepool, at Newcastle on Tyne, at Berwick on Tweed, and at other places between Hartlepool and Aberdeen, to assist in raising the siege of our castle of Aberdeen, and to take strong measures in all matters affecting in these parts our expedition against our hostile and rebellious Scots; as our beloved and trusty Gilbert Petche and . . . our chamberlain of Scotland will more fully direct you on our behalf. And, therefore, we command you to attend to this in every respect, to the postponement of all other concerns. Moreover, we command all and sundry shipmasters and sailors to obey and assist you on our behalf by accompanying you with their ships and men, properly armed, to carry out the premises effectively and valiantly, and as often as you lead the said sailors for our defence. In witness, &c. At Windsor, the tenth day of July.

VI.

Compotum Nicholai de Lidell et Willelmi Chepman, prepositorum burgi de Abirden, redditum die, loco et anno supradictis, et de terminis predictis. Idem onerant se de ccxiiij li. vj s. viij d. per firmas dicti burgi de duobus terminis predictis. Summa recepte patet. De qua computant in liberacione facta camerario, per vnam robam, de mandato suo liberatam Daudi de Marre, nuncio domini regis, xiiij s. iiij d. Et eidem camerario, confitenti receptum super compotum, cxv li. et vj d., de quibus camerarius respondebit. Et Fratribus Predicatoribus de Abirden, ex elemosina regis annua, de eisdem terminis, xvij li. vj s. viij d. Et Episcopo Orcadensi, cxviiij s. et iiij d. Et episcopo Abirdo-

VI.

The provosts of Aberdeen render account of the burgh fermes.

14th January, 132⁷₈.

The account of Nicholas of Lidell and William Chepman, provosts * of the burgh of Aberdeen, rendered day, place [Dumbarton] and year as above, and for the same terms :—

	LIB.	S.	D.
The aforesaid charge themselves with the fermes of the said burgh at the two terms aforesaid ...	213	6	8
Amount of the charge, ...	213	6	8
For which they account in the discharge made to the Chamberlain :—			
To a robe made by his order for David of Marr, nuncio of our Lord the King, ...	0	13	4
To the same Chamberlain, acknowledging receipt on the account, for which the Chamberlain will be answerable, ...	115	0	6
To the Friars Preachers of Aberdeen, of the King's yearly alms, for the same terms, ...	17	6	8
To the Bishop of Orkney, ...	5	18	4

* See p. 64, note.

nensi, pro secundis decimis suis ad terminum vite sue tantum, xxj li. vj s. viij d. Et Fratribus de Monte Carmeli, ad fabricam ecclesie sue, de mandato regis, per literam suam de precepto, vj li. xiiij s. iiij d. Et ecclesie sancti Gilberti de Durnach, ac ministris eius, percipientibus per annum vnam celdram frumenti et vnum doleum vini, pro confeccione corporis Christi, ex elemosina regis, per tempus compoti, lxxvj s. viij d. Et Ricardo filio Radulphi, pro feodo suo annuo, x li. Et Symoni de Grenlaw, ex elemosina regis, ad voluntatem suam, per tempus compoti, x s. Et Nigello de Squecia percipienti per annum de firmis dicti burgi pro toto tempore vite sue viginti marcas sterlingorum, quousque de viginti marcatis terre sibi fuerit prouisum, per tempus compoti, xiiij li. vj s. viij d. Et per allocacionem factam burgensibus de Abirden de viginti marcis quolibet anno decem annorum proxime futurorum,

	LIB.	S.	D.
To the Bishop of Aberdeen for his second teinds, to the end of his life only,	21	6	8
To the Carmelite Friars for the fabric of their church, by the King's command by his precept,	6	13	4
To the Church of St. Gilbert of Durnach and its ministers receiving annually a chalder of corn and a cask of wine for the feast of Corpus Christi, from the King's alms, for the period of the account,	3	6	8
To Richard, son of Radulph, for his yearly feu, ...	10	0	0
To Simon of Greenlaw, from the King's alms, at his will, for the period of the account, ...	0	10	0
To Neil of Squecia, receiuing annually from the fermes of the said burgh for the whole period of his life twenty merks sterling, for which land of twenty merks was allotted to him, for the period of the account, ...	13	6	8
To annual allowance of twenty merks made to the burgesses of Aberdeen on account of the burning of the said burgh, for the ten years next to come, of which one and a-half are past, for the two terms of this account, ...	13	6	8

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de quibus vnus cum dimidio est elapsus, racione combustionum dicti burgi, de duobus terminis huius compoti, xij li. vj s. viij d. Et in donacione facta per regem Daudi de Marre, nuncio domini Regis, pro seruicio suo dum stetit in seruicio domine regine, per literam domini regis de precepto et ipsius de recepto, ostensas super compotum, xl s. Et duobus Fratribus de Monte Carmeli, ex dono regis, xl s. Summa expense, ccxj li. iij s. x d. Et sic debent xlij s. et x d., quos soluerunt camerario super scaccarium, de quibus respondebit. Et sic eque.

VII.

Compotum Nicholai Lidell et Symonis Gelchauch, collectorum noue custume burgi de Abirden, redditum apud Dunbretan xiiij die Januarii,

	LIB.	S.	D.
To a gift made by the King to David of Marr, nuncio of our lord the King, for his service while he was in the service of the Queen, per the King's precept and his own receipt shewn on the account,		2	0 0
To two Carmelite Friars, by gift of the King, ...		2	0 0
Amount of the discharge, ...	211	3	10*
Balance paid to the Chamberlain in the Exchequer, for which he will be answerable,		2	2 10
Equal to the charge,	213	6	8

VII.

*The customars of Aberdeen render account of the burgh customs,
14th January, 1327.*

The account of Nicholas Lidell and Simon Gelchauch, collectors of the new custom of the burgh of Aberdeen, rendered at Dumbarton on the fourteenth

* A minute scrutiny of the accounts as we now have them will bring to light a good many errors of summation which have been overlooked in the audit, a fact which need not surprise us, if we consider how difficult and cumbersome the most ordinary calculations were before the introduction of the Arabic numerals."—*The Exchequer Rolls of Scotland*, Vol. I., 1878, p. xxxix.

anno gracie millesimo trescentesimo vicesimo septimo, de receptis et expensis eiusdem custume, a tercio die Februarii, anni gracie, etc., xxvi. vsque in septimum diem Ianuarii proxime preteriti. Idem onerant se de cccxlix li. x s. iiij d., receptis per custumam octingentorum quadraginta quatuor saccorum dimidii sacci et duarum peciarum lane, sex millium quingentarum triginta nouem pellium lanutarum quinque lastarum dimidie laste vnus dacre dimidie dacre coriorum et duorum coriorum, carcatorum et custumatorum in viginti quatuor nauibus et batellis per totum tempus compoti. Summa recepte patet. De qua allocantur computantibus, per superexpensas suas in compoto suo precedenti liij li. xvij s. vij d. Et in liberacione facta camerario, confitenti receptum super compotum, ccxxxij li. xvj s. vñ. et q̄., de quibus respondebit. Et Johanni de Dunfermline, clerico liberacionis domus domini nostri regis, per literam suam de recepto, per duas libras

day of January, in the year of grace one thousand three hundred and twenty-seven, of the receipt and expenditure of the said custom from the third of February, in the year of grace, etc., and twenty-six, to the seventh day of January last :

	LIB.	S.	D.
The aforesaid charge themselves with the custom on 844½ bags and 2 pieces of wool, 6539 hides of wool, 5½ lasts, 1½ daces, and 2 skins laden and taxed in 24 ships and boats for the whole period of the account,	349	10	4
Amount of the charge,	349	10	4
For which are credited to the counters :	LIB.	S.	D.
To balance from last account,	52	17	7
To the chamberlain, per discharge, acknowledging receipt on the account, for which he will be answerable,	232	16	5½
To John of Dunfermline, clerk of the household, discharge of our Lord the King, per his letter of receipt, for two pounds of saffron, four pounds of , eight pounds of cinnamon, one hundred pounds of almonds, one hundred pounds of rice, forty pounds of ginger, forty pounds of pepper, and one hundred ells of linen cloth, for which the said John will be answerable,	9	8	10

croci, quatuor libras . . . octo libras canelle, centum libras amygdalarum, centum libras de risis, quadraginta libras gingiberis, quadraginta libras piperis, et centum vlnas tele linee, de quibus idem Johannes respondebit, ix li. viij s. x d. Et pro dimidia pecia panni, liberata domino Waltero de Lacy, ex mandato regis, xxxvj s. et viij d. Et pro quarta parte pecie panni, liberata in gardrobam regis, testante litera regis, ostensa super compotum, de qua clericus gardrobe respondebit, xvij s. ij d. Et domino Thome Dere, abbati de Kynlos, percipienti per annum pro tempore vite sue viginti marcas, ex concessione regis, per literam regis de precepto, et ipsius de recepto, xiiij li. vj s. viij d. Et Rogero de Irwyn, ex dono regis, x li. Et per remissionem factam domino Alexandro Fraser de custuma viginti saccorum lane, vj li. xiiij s. iiij d. Et pro collecta dicte custume, viij li. xiiij s. ix d. Summa expense, cccxxxvj li. xj s. v d. et q̄. Et sic debent xij li. xviiij s. x d. ob et q̄. De quibus conceduntur, de dono regis, Rogero de Irwyn, clerico lxvj s. viij d. Et in liberacione facta camerario, confitenti receptum super compotum lviiij s. x d. ob. et q̄, de quibus respondebit

	LIB.	S.	D.
To half a piece of cloth ^a given to Walter de Lacy, by the King's command,	1	16	8
To a quarter piece of cloth given to the King's wardrobe, per the King's letter shewn on the account, for which the clerk of the wardrobe will be answerable,	0	17	2
To Thomas Dere, abbot of Kinloss, receiving yearly during his lifetime twenty merks, by grant from the King, per the King's precept, and his own receipt,	13	6	8
To Roger of Irvine, by gift from the King,	10	0	0
To remission made to Alexander Fraser of the custom on twenty bags of wool,	6	13	4
To the collection of the said custom,	8	13	9
Amount of the discharge,	336	11	5½
Balance due, distributed as follows:			
To Roger of Irvine, clerk, by gift of the King, ...	3	6	8
To the chamberlain, per discharge, acknowledging receipt on the account, for which he will be answerable,	2	18	10½

Summa huius expense, vj li. v s. vj d. ob. et q. Et sic debent vj li. xiiij s. iiij d., de quibus computantes exonerantur de mandato regis, et qui leuandi sunt de terra Rogeri de Irwyn, ad festum Pentecostes proxime futurum, per vicecomitatem de Forfar. Et sic eque quoad computantes.

VIII.

Notint vniūsi p pntes q nos Alexander Gylyot Adam Tore ⁊ Johnes Goldsmyth de Edynburgh Johnes M^ocer Johnes Gill ⁊ Robtus de [Gatmilke] de Perth Laurencius de Garuok Willm̄s de Leth et Johnes Crab de Abdeñ Maḡr Johnes de Somluyt ⁊ Robtus Kyd de Dundee Rogus Phipitt ⁊ Thomas fil Johis de Inūkethyn Ricardus Hendchylde ⁊ Ricardus Skroger de Carale Nichs Rector Scolar et David Comyn de Cup Laurenci^o Bell ⁊ Adam de Kirkyntolach S^ci Andre Ricardus de Cadȝoch ⁊ Johnes Cltic^o de Monros Johnes de Burgo ⁊ Wills

	LIB.	S.	D.	LIB.	S.	D.
Balance due, for which the counters are discharged by command of the King, and which shall be uplifted from the land of Roger of Irvine, next Pentecost, by the sheriff of Forfar,	6	13	4		12	18 10½
Equal to the charge,					349	10 4

VIII.

The Burghs of Scotland appoint representative burgesses of Edinburgh, Perth, Aberdeen and Dundee as procurators to negotiate for the ransom of King David II. 26th September, 1357.

Know all men by these presents that we, Alexander Gylyot, Adam Tore and John Goldsmith, of Edinburgh; John Mercer, John Gill and Robert of Gatmilk, of Perth; Laurence of Garvok, William of Leth and John Crab, of Aberdeen; Master John of Somerville and Robert Kyd, of Dundee; Roger Phipille and Thomas Johnson, of Inverkeithing; Richard Hendchild and Richard Scroger, of Crail; Nicholas, Rector of the Schools, and David Comyn, of Cupar; Laurence Bell and Adam of Kirkintilloch, of St. Andrews; Richard of Cadyoch and John Clerk, of Montrose; John de Burgo and William Sauser,

Sausser de St'uelyn Johnes fil Johis ⁊ Wiſſs de Saltoun^a de Linlithgow Adam de Haddyngton^a ⁊ Adam de Congleton^a de Haddyngton^a Symon Pott^l ⁊ Petrus Waghorn de Dunbretane Pat^rcius Cl^ric^l ⁊ Pat^rcius Red de Rothirglen And^ras Ade ⁊ And^ras de Ponfret de Lanark Will^ms de Duncoll ⁊ Thomas Lang de Drūfres Nickis filius Johis ⁊ Johnes fil Wiſſi de Peblis Aldirmañi M^ocatores ⁊ Burgen^s delibačom Dñi nři Regis Daud a carčē Dñi Edwardi Regis Angl illustris plurimū affectantes de consensu ⁊ uoluntate diūm cōitatū dēō^r burgo^r ⁊ p^rciū adiacenciū eisdm facim^o constituim^o ⁊ ordinam^o p pntes nřos ⁊ diūm burgensiū ac m^rcato^r dēi Regni Scoč ueros pcuratores negocio^r gestores ⁊ nuncios spales Alexm Gylyot Adam Tore Johem Goldsmyth Johem M^ocer Johem Gill Robtu de Gatmilk Laurenciū de Garuok Wiſſ de Leth Johem Crab Mag^rm Johem de Somuill ⁊ Robtum Kyd de Edynburgh Pth Abirden ⁊ de Dundee burgenses. Dantes eisdm ⁊ eo^r sex aut quatuor plenam ⁊ libam potestatem ac mandatū spale ad fina^r concordandū cū consilio p^rfati Dñi Regis Angl sup libačone Dñi nři Regis Daud sup^adēi et ad adm^tendū fmandū atq, approbandū noīe nřo ⁊ diūm burgensiū ac m^rcato^r tocius

of Stirling; John Johnson and William of Salton, of Linlithgow; Adam of Haddington and Adam of Congilton, of Haddington; Simon Potter and Peter Waghorn, of Dumbarton; Patrick Clerk and Patrick Reder, of Rutherglen; Andrew Ade and Andrew of Ponfret, of Lanark; William of Duncoll and Thomas Lang, of Dumfries; Nicholas Johnson and John Williamson, of Peebles; aldermen, merchants and burgesses, earnestly desiring the liberation of our Lord King David from the prison of the Lord Edward, the illustrious King of England, by the consent and will of all the communities of the said burghs and parts adjacent thereto, do make, appoint and ordain by these presents as true procurators, agents and special messengers for us and for all the burgesses and merchants of the said kingdom of Scotland—Alexander Gylyot, Adam Tore, John Goldsmith, John Mercer, John Gill, Robert of Gatmilk, Laurence of Garvok, William of Leth, John Crab, Master John of Somerville and Robert Kyd, burgesses of Edinburgh, Perth, Aberdeen and Dundee: Giving to them, and to six or four of them, full and free power and special mandate to come to a final agreement with the Council of the foresaid Lord the King of England for the liberation of our Lord King David above named; and to admit, confirm and approve, in name of us and of all the burgesses and merchants of the whole kingdom of Scotland, all and sundry

Regni Scoē omēs ⁊ singlos tractatus et concordias fēos hitos seu faciendos in dēm consiliū Dñi Reḡ Angt ac Prelatos ⁊ alios nobles regni Scoē ⁊ quoslib; ⁊ pūctus in eisdm contentos q' libacōm dēi Dñi nři Reḡ Daud tangunt seu tangē potunt quouismodo. Et ad confitendū ⁊ recognoscendū nos ⁊ omēs alios burgenses ⁊ m̃catores dēi Reḡ Scoē hedes ⁊ successores nřos ⁊ quēlib; nřm ⁊ eoꝝ pncipatr ⁊ in solidū obligari ⁊ teneri pfato Dño Regi Angt hēdib; ⁊ successorib; suis occasione redempcōis pfati Dñi nři Reḡ Scoē in Centū Milib; M̃rcax stlingoꝝ soluendis eidm Dño Regi Angt ut suis pcuratorib; in locis ⁊ lminis in dēis tractatib; ⁊ concordiiis statutis seu statuendis Et vltius ad faciendū noie nřo ⁊ cuiꝝlib; nřm ac cōitatū alioꝝ burgensiū ⁊ m̃catoꝝ dēi reḡ Scoē pacēones obligacōnes securitates pmissiones lřas ⁊ iuramenta quascūq; ⁊ quecūq; que ad fmitatē ⁊ approbaēem pmissōꝝ sūint quomodolib; faciend Et ad obligandū ⁊ subm̃tendū nos ⁊ quēlib; nřm in solidū ac oīa bona nřa ⁊ singla ⁊ cuiꝝlib; nřm ac celoꝝ burgensiū ⁊ m̃catoꝝ dēi Regni Scoē mobilia ⁊ immobilia pncipia ⁊ futura vbicūq; constituta sūint ⁊ inuenta compulsioni ⁊ cohercōi

treaties and agreements made, held, or to be made between the said Council of the Lord the King of England, and the prelates and other nobles of the kingdom of Scotland, and also any points whatsoever contained therein that touch or can in any way touch the liberation of our said Lord King David; and to own and acknowledge us and all the other burgesses and merchants of the said kingdom of Scotland, our heirs and successors, and anyone whatsoever of us and of them, as debtors principal and *in solidum*, to be bound and held to the foresaid Lord the King of England, his heirs and successors, for the redemption of the foresaid our Lord the King of Scotland, in one hundred thousand merks sterling, to be paid to the said Lord the King of England, or to his procurators, at the places and times appointed or to be appointed in the said treaties and agreements; and further to make, in name of us and any one of us and of the other communities of burgesses and merchants of the said kingdom of Scotland, any contracts, obligations, securities, undertakings, writs and oaths whatsoever, which may in any way be made for the confirmation and approval of the premises; and to oblige and submit us and each of us *in solidum*, and all and sundry the goods of us and of each of us and of the remanent burgesses and merchants of the said kingdom of Scotland, movable and immovable, present and to come, wheresoever they shall be

quaxcūq; curiaꝝ eccl̃iasticaꝝ ut seculariū illoꝝ locoꝝ in quibꝫ dēa bona constituta sūint ⁊ inuenta ⁊ eaꝝ Judicū ⁊ mistroꝝ ⁊ cuiꝰlibꝫ ipꝫ quousq; de totali Sūma Centū Miliū M^acaꝝ ⁊ cuiꝰlibꝫ eius ptis ac de omibꝫ aliis capitlis in dēis tractatibꝫ ⁊ concordiiis contentē una cū dampnis exp̃ns ⁊ intesse si que ut quas ip̃m Dñm Regem Angt in exigendo prosequendo aut recuperando dēam sūmam pecunie ac pp̃t retardaçom soluçois eiusd̃m ut alicuiꝰ eius ptis qđ absit incurrere seu sustinere in iudicio ut ex^a contigit quouismodo p̃fato Dño Regi Angt ut eius in hac pte pcuratoribꝫ spãtr deputatis fuit plenarie ⁊ integre satisfc̃m Et ad p̃standū in aīas ñras et cuiꝰlibꝫ ñrm ac suas quodcuq; gen^s liciti sac̃amenti qđ a nob̃ in hac pte exigi potit seu requiri Et ad renunciandū noīe ñro ⁊ cuiꝰlibꝫ ñrm omibꝫ ⁊ singulis iuribꝫ remediis auxiliis ⁊ cautelis tā iuris Canōici q^a Ciuilibꝫ ⁊ omibꝫ tris aḡlicis ipetratis seu ipetrandis p que ut quas cont^a p̃dēa nos defende possemꝰ quomodo-libꝫ ut tueri necnō ⁊ om̃ia alia ⁊ singla faciendū ⁊ expediendū q̃ in p̃missis ⁊ c^aca p̃missa necēia sūint ⁊ optima q^antūcūq; mandatū exigant sp̃ale Insup ad cautelam ⁊ maioris roboris f̃mitatē oīm p̃missor

situated and found, to the compulsion and constraint of any courts, church or civil, of those places in which the said goods may be situated and found, and of their judges and officers, and of any of them, until full and entire satisfaction shall have been made to the foresaid Lord the King of England, or to his procurators specially deputed in this matter, for the whole sum of one hundred thousand merks and of any part of it, and for all other heads contained in the said treaties and agreements, together with loss, outlay and interest, if it shall in any way happen that the said Lord the King of England incur or sustain such, whether in judgment or outwith, in exacting, prosecuting or recovering the said sum of money, and on account of delay in paying the same or any part thereof (may such not happen); and to make on the souls of us and of each of us and them any kind of lawful oath that can be exacted or required from us in this matter; and to renounce, in the name of us and each of us, all and sundry rights, remedies, helps and cautions of both the canon and the civil law, and all letters apostolic, obtained or to be obtained, by which we could in any way defend or protect ourselves against the foresaid; likewise to do and complete all and sundry other things which in the premises and about the premises shall be needful and proper, even if they require special mandate. Moreover, for the security and stronger con-

iurauim⁹ ⁊ quilibz nrm iuravit ad Sca Dei euanglia p nos corpar tacta iuram⁹ ⁊ quilibz nrm sponte iurat q oia ⁊ singla libaçoem dci Dni nri Regis Scoč quaircūq; conñencia que p conciliū dci Dni Reḡ Angl ⁊ pfatos P'latos ⁊ Nobles dci Regni Scoč ac pcuratores nros sup'dēos ut eorū sex aut quatuor tractata ordinata concordata submissa iurata renunciata ⁊ facta fūint in pmissis ⁊ in quolibz pmissorū rata g'ta habim⁹ atq; f'ma ⁊ eis in omibz adq'escem⁹ ⁊ cont' in aliquo nō faciem⁹ n'c ueniem⁹ de iure ut de fco tacite ut exp'sse s; ip'a exnūc put extunc ratificam⁹ ⁊ approbam⁹ p pntes In quorū oīm testiōm sigilla cōia dcoꝝ burgoꝝ ⁊ cōitatū eorūdm pntibz sunt appensa Apud Edynburgh xxvj^{to} die Mens Septembr Anno Dni M^o ccc^{mo} L^o Septimo.

IX.

Vniūsis [præsentes] tres [seu præsens Pu]blicum Inst'ron inspectur ⁊ auditur Alexander Gyllyot Adam Tore Johannes Goldsmyth de

firmation of all the premises, we all and each have sworn, and all and each of our own accord do swear on the holy Gospels of God actually touched by us, that all and sundry matters in any way concerning the liberation of our said Lord the King of Scotland, which shall have been stipulated, ordained, agreed, submitted, sworn, renounced and done in the premises and in each of the premises, by the Council of the said Lord the King of England, and the foresaid prelates and nobles of the said kingdom of Scotland, and our procurators above-named, or six or four of them, we shall hold ratified, approved and confirmed; and we shall acquiesce in them all, and shall not do or come contrarywise in anything, in law or in deed, tacitly or expressly; but we now as then ratify and approve the same by these presents. In witness of all which the common seals of the said burghs and communities thereof have been affixed to these presents at Edinburgh, the 26th day of the month of September, in the year of our Lord MCCCCLVII.

IX.

The procurators appointed by the burghs of Edinburgh, Perth, Aberdeen and Dundee enter into an obligation to pay 10,000 merks sterling. 5th October, 1357.

To all who shall see or hear these present letters or this present public instrument, Alexander Gyllyot, Adam Tore, John Goldsmith, of Edinburgh;
QQ

Edenbourg Johannes M^ocer Jokes Gill Robtus de Gatemilk de Perth [Laurentius de Gar]uok Wiffus de Leth ⁊ [Johannes] Crab de [Aberdeen M] g^r Johannes de Somuille ⁊ Robtus Kyd de Donde villā M^ocatores ⁊ Burgeñ tam n^{ro} q^a alioꝝ mercatoꝝ regni Scocie nōie plenam ab eis [Potestatem ha]bentes salv[t]e[m Domi]no Cum serenissimus P^onceptus ⁊ d^{ns} n^r d^{ns} Daudid dei g^{ra} Rex Scotorū illustris fuit illustrissimi P^oncipis dⁿⁱ Edwardi Regis anglie v^ous et le[galis] Pris]onarius ⁊ captiu^o Idemq^{ue} d^{ns} Rex Anglie sub c^otis modis ⁊ q^udiçonib^{us} nup concessat p^{er} p^{re}fatus d^{ns} Rex Daudid redimat^{ur} ⁊ carçe suo lib^{er}et^{ur} ⁊ inde ad Regnū Scocie reūtatur pro cent^{is} Mil^{ibus} març [Sterlingorum eidem Domino Regi Angliæ soluendis pro redēpçone sua [cert]is l^ocis et locis put in quadā indenturā [in]de conf^{ir}ta plenius continet^{ur} cuius quidē indenture tenor seq^uitur in hec [verba] *

Nos delib^{er}açom p^{re}fati dⁿⁱ n^{ri} Regis Scocie p^{ri}mu affectantes hita sū tractatib^{us} ⁊ concordanciis h^um^{an}i vnacū p^{re}latis magnatib^{us} sapientib^{us} ac nob

John Mercer, John Gill, Robert of Gatmilk, of Perth; Laurence of Garvok, William of Leth and John Crab, of Aberdeen; Master John of Somerville and Robert Kyd, of Dundee; merchants and burgesses of these towns, in name of us and of other merchants of the kingdom of Scotland, having full power therefrom, greeting in the Lord: Whereas our most serene prince and lord, Lord David, by the grace of God illustrious King of Scots, was the true and lawful prisoner and captive of the most illustrious prince, Lord Edward, King of England, and the same Lord King of England had lately granted under certain forms and conditions that the foresaid Lord King David should be ransomed and set free from his prison and should go back thence to the kingdom of Scotland, in return for one hundred thousand merks sterling to be paid as his ransom to the same Lord King of England at certain terms and places, as is more fully set forth in a certain indenture executed thereanent, of which indenture the tenor follows in these terms:—

We, earnestly desiring the liberation of our foresaid Lord the King of Scotland, after serious and mature deliberation regarding the treaties and agreements thereanent, with the prelates, magnates, wise men and us merchants

* The terms of the Indenture will be found in Rymer's *Fœdera*, 1708, vol. vi., pp. 46-51.

m̃catoribꝫ 7 aliis eiusd̃ Regni Scocie quoz̃ consus in hac pte requirit̃ ũl
at̃ esse di[gnoscitur] oportun⁹ bona 7 matura delib⁹acone de cōi assensu
om[nium] p̃latoꝝ magnatum 7 alioꝝ m̃catoꝝ 7 cōitať eiusd̃ Regni Scocie
p̃fatis tractatibꝫ 7 concordiiis sic f̃c̃is 7 hitis pure simpliē ex c̃ta sc̃ia
7 voluntate lib⁹a consentim⁹ 7 eisdē in om̃ibꝫ vnanimiť concordam⁹
P̃mittim⁹ eť 7 concedim⁹ ñro 7 quo sup̃ noīe 7 q̃t̃z̃ ñrm p̃mittit 7 q̃cedit
p̃ solēnē stiḡlačom̃ int̃pōitam 7 8r̃ sac̃ris ñris inf⁹ius desc̃ipť tā in añas
ñras q̃a alioꝝ m̃catoꝝ absentiũ q̃ om̃is artičlos 7 caḡla sing̃la in d̃ca con-
cordia cōtenta sine dolo arte ũl ingenio obfuabim⁹ tenebim⁹ 7 p̃ficiem⁹
7 quiťz̃ ñrm obfuabit tenebit 7 implebit ac faciem⁹ ab aliis q̃tũ in nob̃
est fideťr obfuari Et ad maiorē Roboris securitatē ũl firmitatē om[nium]
7 singuloꝝ sup⁹ et infrasc̃ipť Et maxiē quoad integram solom̃ tocius
sūme pecūie videťz̃ Cenť miť marē s̃tling̃ debite d̃co d̃no Regi Anglie
p̃ delib⁹acone p̃fati d̃ni ñri David Reḡ Scocie in c̃tis locis et t̃m̃is in
d̃ca q̃cordia limitat̃ p̃ soluend̃ obligam⁹ recognoscim⁹ 7 q̃stituim⁹ nos
7 alios m̃catores ut p̃mittit̃ absentes p̃ncipales debitores 7 q̃t̃z̃ ñrm 7
iḡoz̃ insolid̃ debitorē p̃ncipalē totius sōme 7 debitoꝝ p̃dcoꝝ Vollum⁹ eť

and others of the said kingdom of Scotland, whose consent thereto is necessary or is otherwise considered desirable, by common assent of all the prelates, magnates and others, merchants and community of the said kingdom of Scotland, do purely, simply, of certain knowledge and free will consent to the foresaid treaties and agreements thus made and had, and unanimously approve thereof in all respects. We do also promise and grant, for ourselves and for them, and each one of us promises and grants by a solemn compact entered upon and sworn to by us as under, as well upon our own souls as upon those of the other absent merchants, that without deceit, fraud or guile we, all and each, will observe, hold and fulfil all the articles and every head contained in the said agreement, and will do what we can to have them faithfully observed by others. And for the greater security and confirmation of all and sundry above and underwritten, and especially for the payment in full of all the sum of money, viz., one hundred thousand merks sterling, due to the said Lord the King of England for the liberation of our foresaid Lord David, King of Scotland, at certain places and terms fixed in the said agreement for the payment; we bind and oblige and constitute debtors principal, ourselves and the other merchants aforesaid, and each one of us and them debtor principal *in solidum* for the whole sum and for the debtors aforesaid. And we also will and agree, con-

et consentim⁹ coniunctim et divisim ut si contingat quod absit quod prefatus Dominus Rex Anglie aut quis ex parte sua expensam aliquam fecerint aut fecerint deam summam pecunie vel aliquam partem eius requirendo exigendo et recuperando aut propter moram solutionis tardacionis vel restitutionis dampna gravissima interesse et expensam incurrerint vel sustinuerint aut quis eius nomine iecerit vel sustinuerit omnes illas expensas et omnia illa gravissima dampna et interesse deo domino Regi Anglie aut suo certo nuncio et Procuratori reddere restituere et integre restaurare promittim⁹ et quod nos promittit bona fide et illis omnibus et singulis et eorum quantitate ac et de sorte principali debite superdicti stare ordinationi taxationi et executioni quocumque iudicio eorum quibus vocati vel citati fuimus aut fuit aliquis nostrum occasione tardacionis et solis summe predicta et quorum dampnos expensas et interesse estimatione et quantitate absque alia probatione Juramento partis dicti domini Regis Anglie credatur atque stetur Pro quibus omnibus et singulis superdictis tenendum plenam et firmiter obsequand⁹ et non conveniendum dicendis seu faciendum astingim⁹ submittim⁹ et obligam⁹ nos et alios absentes mercatores ac nos et ipsos quilibet insolidum et omnia bona nostra et ipsorum iura actiones hereditaria et successorum nostrorum et ipsorum mercatores predictorum presentia et futura ubicumque exstiterint constituta et iuenta sunt compulcioni et compulsioni quocumque Curiam tam ecclesiam quam secularium

jointly and severally, that if it should happen (as may it not) that the foresaid Lord King of England or any one on his behalf should in any way incur expense in demanding, exacting and recovering the said sum of money or any part thereof, or should suffer or sustain loss, injury, interest and expense through delay in paying or restoring; to return, restore and fully make up such expense, loss, injury and interest to the said Lord King of England or his undoubted messenger and procurator. And, all and each, we promise in good faith to fulfil to them, all and each, anent such amount, and also anent the principal of the aforesaid debt, the decision, taxation and execution of any of their judges before whom we may be called and summoned by reason of delay in the payment of the sum aforesaid: in estimating the amount of which losses, expenses and interest, the oath of the said Lord King of England shall stand and be believed without other proof. That which all and sundry aforesaid be held fulfilled, strictly observed and not contravened by word or deed, we bind, submit and oblige ourselves and the other absent merchants, and every one of us and them *in solidum*, and all our and their goods, rights and actions of our and their heirs and successors, present and to come, whensoever such shall take effect, be constituted

Judiciū, et mīstros eorū et cuiuslibet earū in quā uel quibz hoc Instrū-
 pu^m offi^di ptingit pducī Ita q̄ realis et debita execu^o possit fieri quā nos
 et quibz nrm et alios mīcatorū pdcos tā in bonis nris quā suis ac si est sūia
 lata p ppetentē Judicē quā in rē trāsuiss; Judicatā et ibide p̄pere et Juri
 pere pmittim⁹ et quibz nrm pmittit Et q̄ dēar Curia p̄fatus Dñs Rex
 Anglie et pcur sui elige possint quā malūint illā, seu illas dimitte et ad
 aliā seu alias recurrē q̄ciens sibi videbr expedire nō obsta q̄ pcess
 fuit in ead Curia inchoat⁹ nullū eidē Rege Anglie p elcom hmd p̄udiciū
 gēhādo sponte nos et alios mīcatores pdcos et q̄lz nrm omīa, bona tā
 nra quā sua iura et acōnes hēdū executor et success p̄ncia et futura q̄ iure
 p̄cario noīe dēi dñi Reg ang^t tā nos quā alios mīcatorū absentes p̄stituim⁹
 posside quousq, dēo dño Regi ang^t uel c̄tis attornatis de tota sūma
 pecūie et q̄lz eius pte cū dapn expeñ et intesse fuit plenarie et integre
 satisfcm in ipas Cur et q̄lz ipas nos et ipsos ac bona omīa sup̄dca
 sponte s̄mittēdo obligando et iurisd̄coni p̄rogando Et volum⁹ eē q̄ nec
 nos ne aliquis nrm aut dēoz mīcatorū absentiu uel hēdes aut successor nri

and happen, by compulsion and coercion of any courts, church or civil, and
 of their judges and officers, or any one thereof, in which this public
 instrument shall in any way chance to be produced: so that real and due
 execution can be had against us all and each, and other merchants aforesaid,
 as well on our goods as on theirs, as if after sentence pronounced by
 a competent judge, and that we all and each promise to compear and
 obey the law. And whereas of the said courts the foresaid Lord King
 of England and his procurators can choose which they please, can leave these
 and resort to others as often as it seems expedient to them, notwithstanding
 that a process were begun in the said court, causing no prejudice to the said
 King of England by such choice; we have of our own accord appointed ourselves
 and the other merchants aforesaid and each one of us and all our and their
 goods, rights and actions of heirs, executors and successors, present and to
 come, both ourselves as procurators and the other absent merchants,
 to be bound to the King of England, until the said Lord the King of
 England or his undoubted attorneys shall be wholly satisfied in the total sum
 of money and in every part of it, with losses, expenses and interest, freely
 submitting, obliging and subjecting ourselves and them and all the goods
 aforesaid in the said courts and in any one thereof. And we desire
 also that neither we nor any one of us or of the said absent merchants, nor

seu eoꝝ possint aut debeant ꝓced^oe aliqꝛs acquetancias ūl acquetanciā aut pactū aliqꝛ de vltius nō petendo ꝛ integꝛ solone dcaꝝ centꝛ mille Marc aut aliqꝛ eius pte nisi ꝓmo fūint contꝛe ꝛ ꝓbate ꝓ bonos ꝛ legales mīstrꝛ dci dñi Regis Anglꝛ ꝛ ꝛb magno sigꝛ eiusdꝛ sigillatꝛ ꝛ ꝓducte ꝓ ꝓdꝛōs mīstros ad hꝛ mandatū hntes spāle Renūciamꝓ insupꝛ ꝛ qꝛꝛ nꝛm renūciat ꝓdꝛōꝝ eꝛ nōie diuisim in ꝓdꝛīs ꝛ ccꝛ ꝓdꝛā omībz ꝛ singꝛlis jurībz Auxiliis bñficiis ꝛ remediis ꝛ cautelis ac hris app[ostolicis] ipetratis ꝛ ipetrādis ac omī appellānis ꝛ ꝓuocaꝛōis remedio qꝛbz mediātībz qꝛ ꝓdꝛā ūl aliqꝛd ꝓdꝛōꝝ venire possimꝓ seu ea ūl eoꝝ aliqꝛd quozꝛ ipedīꝛ aut nos seu [Bona nostrꝛ]a ūl ipozꝛ mīcatoꝝ absentīū iura ūl acꝛōnes aut hēdꝛ nꝛōꝝ ꝛ suoꝝ ꝓncīa ꝛ futura defendꝛe quouismodo ūl tueri Renuciantꝛ eꝛ Juri dicenti gehalem renūciānem nō valꝛe Tenor vꝛo ꝓcuratꝛ dꝛōꝝ mīcatoꝝ de quo supꝛius fit menꝛō sic incipit Nouint vniūꝛ ꝓꝛ ꝓntes qꝛ nos Alexandꝛ Gilyot ꝛ Adam Core ꝛc Et sic finit ꝓntībz sūt appensa aꝓ Edēbourgh xxvi die Mensis Septēbris Anno Dñi Millis Trecentꝛ qꝛnqꝛꝓ septio In quozꝛ oīm testioñ ꝓntes tꝛas seu ꝓns publicū Instꝛm sigillis cōībz villaz de Edenbourg de Perth de Abꝛden

our or their heirs or successors, grant any acquittance or acquittances, or any agreement not to seek further, on full payment of the said hundred thousand merks or any part thereof, unless such be first granted and approved by competent and recognised officers of our said Lord, the King of England, and sealed with his great seal, and produced by the foresaid officers having special mandate thereanent. Moreover, we, all and each, and in name of the foresaids, renounce, in and anent the foresaids, all and sundry rights, aids, benefits and remedies, and cautions and letters apostolic obtained or to be obtained, and all remedy by appeal and provocation, whereby we can contravene the foresaids or any part thereof, or hinder the same or in any way, or defend or protect ourselves or our goods or the rights or actions of the said absent merchants or their or our heirs, present and to come. Renouncing also the right of declaring the general renunciation to be not valid. And the tenor of the procuratory of the said merchants, mentioned above, begins thus: Know all men by these presents that we, Alexander Gilyot and Adam Core, etc.; and ends thus: Are appended to these presents at Edinburgh, the xxvi day of the month of September, in the year of our Lord thirteen hundred and fifty-seven. In witness of all which we have caused the present letters or the present public instrument to be strengthened with the common seals of Edinburgh, Perth, Aberdeen

Et de Donde vna cū Signis et subscriptiōibz notarioꝝ subscriptoꝝ fecim⁹
cōmuniri Dat⁹ et Act⁹ ap Berwyk sr Twede die qinto Men⁹ Octobris
Anno Dñi Mille [Trecent] quinquag⁹ Septimo

Et ego Adam de Hilton clericus Lichfelden⁹ dioꝝ publicus Aꝑlica et
Impiali Auc⁹ce Notarius ꝑmissis tractatibz et concordiiis
obsidumqꝫ admissioni et recepçoni ac ꝑmissionibz obligaçoniibz
ꝑminoꝝ assignaçōibz iuramentoꝝ ꝑstaçōonibz Sigilloꝝ apposi-
conibz ac omibz aliis et singlis sup⁹scriptis dum sic ut ꝑmittit
agent⁹ et fierent sub Anno Dñi Millo ccc⁹ lvij⁹ Indicē
vndecima die Qinta men⁹ Octobris Pontificat⁹ dñi Innocentii
dia puiden⁹ ꝑꝑ vj⁹ Anno Qinto vna cum maḡris Wiſto et Johe
Notariis publicis subscriptis ac dñis Rogo de Percy Ricardo
Tempest et Riço de Totesham militibz de Angl⁹ ac Wiſmo
de Ramesey Wiſmo de Vause et Johe Herys militibz de
Scoꝝ testibz ad ꝑmis⁹ vocatis ꝑsens int⁹fui eaꝫ sic fieri vidi
et audiui ꝑ aliū scribi feci publicauī Et in hanc publicā formā

and Dundee, together with the signs and signatures of the notaries under-
written. Given and done at Berwick-on-Tweed, the fifth day of the month
of October, in the year of our Lord one thousand three hundred and fifty-
seven.

And I, Adam of Hilton, clerk, of the diocese of Lichfield, by apostolic
and imperial authority notary public, was present while the foresaid
treaties and agreements, giving and receiving of securities,
promises, obligations, appointments of terms, takings of oaths,
appendings of seals, and all and sundry others above written
were taking place and being done, in the year of our Lord
MCCCLVII, the eleventh indiction, fifth day of the month
of October, in the fifth year of the Pontificate of Innocent
VI., by Divine Providence Pope: Together with Masters John
and William, notaries public, subscribing, and Roger of Percy,
Richard Tempest and Richard of Totesham, knights of Eng-
land, and William of Ramsay, William of Vaus and John
Herys, knights of Scotland, witnesses cited to the preceding:
And these things I saw and heard being done, and caused to be
written by another, published and to this public form reduced,

redegi signoꝝ meo solito signaui Rogatus in testimoniū
pmissioꝝ

Et ego Willm̃s de Ragenhill clericus Eboꝝ dioč, &c.

Et ego Johes Clerenans clericus Eboꝝ dioč, &c.

and signed with my accustomed sign — being summoned to
witness the foresaid.

And I, William of Ragenhill, clerk, of the Diocese of York, etc.

And I, John Clerenans, clerk, of the Diocese of York, etc.

X.

*The inhabitants of Aberdeen contribute towards the expense of the embassy to
England. 1408.*

Taxačō p̃ma facta p̃ expens̃ nūcioꝝ intend⁹ ad angliā

Johes Goven	-	-	-	xijd	Joh fraf	-	-	-	-	iiijd
Johes coup	-	-	-	iiijd	Alex' litstar	-	-	-	-	xviiij
Johes hervy	-	-	-	vjd	Thom̃ lownā	-	-	-	-	vjd
Thom⁹ Webeᵛ	-	-	-	vjd	Vxor Aleᵛ Voket	-	-	-	-	vjd
Johes scot	-	-	-	vjd	Johēs crag	-	-	-	-	vjd
Meg⁹ fernwale	-	-	-	iiijd	Marion Marr	-	-	-	-	xijd
Cū socia sua	-	-	-	iiijd	Simō Scynar	-	-	-	-	xijd
Waldy	-	-	-	vjd	Thom̃ dauid	-	-	-	-	vjd
Andᵛ baxᵛ	-	-	-	viiij	Rob⁹t⁹ sadillar	-	-	-	-	iiijd
Magy corbrand	-	-	-	iiijd	Marioñ abel	-	-	-	-	vjd
paᵛ garntuly	-	-	-	vjd	Rob⁹t⁹ lyly	-	-	-	-	iiijd
Andro Nase	-	-	-	vjd	Anny carras	-	-	-	-	iiijd
Joh thome	-	-	-	iiijd	Andᵛ coup	-	-	-	-	iiijd
Witt sutar	-	-	-	iiijd	Wat bowar	-	-	-	-	iiijd
Rob⁹t⁹ stragryffe	-	-	-	iiijd	Vaᵛ sutar	-	-	-	-	iiijd
Jamys browne	-	-	-	iiijd	vxor Johīs scherar	-	-	-	-	iiijd
Galfrid⁹ Jnnnochy	-	-	-	vjd	Andᵛ gilbti	-	-	-	-	xviiij
Andᵛ Walkar	-	-	-	viiij	lauᵛ dauid	-	-	-	-	vjd
W Rob⁹ti	-	-	-	viiij	Andro schsewas	-	-	-	-	vjd
Elena louche	-	-	-	vjd	Rob⁹t⁹ Wan	-	-	-	-	vjd
Scalpy	-	-	-	xijd	Adā litstar	-	-	-	-	iiijd

Joh Wiltmi -	-	-	-	W Inbrory	-	-	-
Joh Walſi -	-	-	-	iiiis Joh smale -	-	-	-
Joh trayle -	-	-	-	xijd Joh modane -	-	-	-
Andr Webst ^l -	-	-	-	vjd W Wricht -	-	-	-
Riċ fichet -	-	-	-	xijd Anny modane cū soċ -	-	-	-
Joneta dūbar -	-	-	-	vjd Joh smale Junior -	-	-	-
Thoñ de Morauia -	-	-	-	vjd Anny crag -	-	-	-
Dñs Andre Señ -	-	-	-	Magy Rauff -	-	-	-
Joh Mungwale -	-	-	-	vjd Katina lydale -	-	-	-
Iby sadillar -	-	-	-	iiijd Thō lamb -	-	-	-
Vxor Aleċ alne -	-	-	-	vjd Joh perysoñ -	-	-	-
Hankyn criouñ -	-	-	-	xijd Rob ^o t ^o Johis -	-	-	-
Rob ^o t ^o browne -	-	-	-	xviijd W strade -	-	-	-
vxor thome yhung -	-	-	-	iiijd W harp -	-	-	-
Thoñ de Marr tailor -	-	-	-	vjd Ang ^o gleny -	-	-	-
thō molfane -	-	-	-	xviijd Thō bug ^o -	-	-	-
W crag -	-	-	-	xijd Thō club -	-	-	-
Brici ^o Rob ^o ti -	-	-	-	vjd Joh fichet -	-	-	-
thoñ sprint -	-	-	-	xijd Alex ^r clynt ^e -	-	-	-
Rob ^o t ^o Walkar -	-	-	-	iiijd lowdeñ -	-	-	-

.iiij lib v s iiij d

ferg ^o -	-	-	-	Thō Witfi -	-	-	-
W gicht -	-	-	-	viijd Rob ^o t ^o borthw ^e -	-	-	-
Stephan ^o tho ^e -	-	-	-	vjd W ettale -	-	-	-
Joh -	-	-	-	Rob ^o t ^o lownā -	-	-	-
May lamb -	-	-	-	iiijd Thō blyndsele -	-	-	-
fynla ^o Taillo ^r -	-	-	-	viijd laur Johis -	-	-	-
vxor DD tho ^e -	-	-	-	iiijd vxor thome scherar -	-	-	-
Simō bax ^l -	-	-	-	vjd W bax ^l -	-	-	-
W foty -	-	-	-	Malcolm -	-	-	-
Anny normā -	-	-	-	iiijd Spaldyng -	-	-	-
Cristiana Wallace -	-	-	-	ijd W col -	-	-	-
Joh qwhite -	-	-	-	xviijd Thō col -	-	-	-
Jamys fleschewar -	-	-	-	viijd Alex ^r galfridi -	-	-	-
W de cama -	-	-	-	xijd hen ^r sclat ^l -	-	-	-

RR

Thoñ Andrō	-	-	-	xijd	pałcii cuik	-	-	-
galfrid ⁹ tailor	-	-	-	iiij	Anny schewyn	-	-	-
pałcius Alex ^r	-	-	-	xviiij	Joh dūny	-	-	iiij
Meg stewart	-	-	-	ijs	pałcii scharp	-	-	iiij
huḡ abbvthnot	-	-	-	viiij	S de camā	-	-	iiij
hesilhede	-	-	-	iiij	Joh henrici	-	-	iiij
Anny Nory	-	-	-	-	Brici ⁹ ferlet	-	-	iiij
Thō chekar	-	-	-	iiij	Brici ⁹ dūctani	-	-	xviiij
Abam stratheykyn	-	-	-	iiij	Dauid Riburn	-	-	xviiij
Joh biyame	-	-	-	-	Joh c'stini	-	-	xijd
vxor pałcii bax ^l	-	-	-	vjd	Witt Wricht	-	-	iiij
Anny schewyn	-	-	-	vjd	thō tailor	-	-	iiij

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Andř scherar	-	-	-	xijd	Wat tallour	-	-	iiij
Malice sprinct	-	-	-	iiij	Joh lambynton	-	-	vjd
Dūctan ⁹ carnifex	-	-	-	vjd	Johes bax ^l	-	-	iiij
Wittms calmā	-	-	-	iiij	Thoñ huntar	-	-	vjd
Joneta clauda	-	-	-	vjd	Waltus Rob ⁹ ti	-	-	xijd
Joh bell	-	-	-	iiij	Meg Davy	-	-	iiij
Andreas Bax ^l	-	-	-	viiij	Andreas gifford	-	-	xviiij
Andreas Mathei	-	-	-	xijd	Witt Andree	-	-	xijd
Johes M ⁹ nys	-	-	-	vjd	lauř leth	-	-	vjd
Marion fetes	-	-	-	vjd	chirdoc	-	-	iiij
Johes Simonis	-	-	-	-	Johs Johis	-	-	iiij
Joh Andř huny Joñ	-	-	-	xijd	Angus lorn	-	-	iiij
vxor Witt lambton	-	-	-	iiij	Rogus Witt	-	-	xijd
Johes Andř	-	-	-	iiij	Michael Johis	-	-	iiij
Johes gledstane	-	-	-	iiij	Johes spaigney	-	-	iiij
Simō lamb	-	-	-	iiij	Johes harrow	-	-	vjd
Marion lamb	-	-	-	iiij	Donald gley	-	-	iiij
Johes edmūdson	-	-	-	vjd	Johes lawson	-	-	iiij
Joneta soutar	-	-	-	iiij	Marion beset	-	-	iiij
Alex ^r lep	-	-	-	vjd	Thoñ henrici	-	-	vjd
Witt Kyntor	-	-	-	vs	Wittms quithed	-	-	iiij
Johes atkynson	-	-	-	xijd	Joh surych	-	-	iiij
Joh c'stini	-	-	-	xijd	Andř Johis crag	-	-	iiij

Dūctan ⁹ kerd	-	-	-	iiijd	vxor Rob ⁹ ti Wricht	-	-	-
vxor Alex' benyn	-	-	-	iiijd	Joh Wiffmi	-	-	iiijd
hānay	-	-	-	vjd	Wiffms fit Ade	-	-	vlijd
vxor Johis Alani	-	-	-	iiijd	Johes Rothy	-	-	-
Johes Rob ⁹ ti Webst ⁹	-	-	-	vjd	Adam Wricht	-	-	-
Andro bowar	-	-	-	iiijd	Alex' stane	-	-	xijd
Jamys browne	-	-	-	vjd	Soror bruysur	-	-	iiijd
Marion sproustoñ	-	-	-	iiijd	Johes Garnoch	-	-	vlijd
Wiffms daynore	-	-	-	ijs	henf Martyn	-	-	iiijd
Stephan ⁹ Andf	-	-	-	xijd	Wiff bruysur	-	-	iiijd
Johes tulach	-	-	-	xijd	Wat patonsoñ	-	-	iiijd
vxor Andf Johis	-	-	-	xijd	Joh thome	-	-	iiijd
Joh scrogs	-	-	-	xijd	Thom Lynrōn	-	-	vjd
Adam Thome	-	-	-	xijd	Thom Lukar	-	-	vjd
paul ⁹ coup	-	-	-	iiijd	Wiff Watson	-	-	vjd
Johes fyffe	-	-	-	iiijd	Thom Andf	-	-	xijd
Ruthirford	-	-	ijs cū mat ^a	-	Elyn	-	-	iiijd
Gilb ⁹ t ⁹ meignes	-	-	-	xijd	Joh	-	-	-
Anny Rauff	-	-	-	vjd	Bertholomey	-	-	iiijd
Rob ⁹ t ⁹ dūctani	-	-	-	vjd	Joh Wormot	-	-	xvlijd
Gilb ⁹ t ⁹ kynros	-	-	-	xijd	Thō squiar	-	-	vjd
Andf kynros	-	-	-	vjd	Alan ⁹ Ric	-	-	vjd
Johes Ricardi	-	-	-	vjd	Wat taillour	-	-	iiijd
Wiffms Jacsoñ	-	-	-	vs	Joh patcij	-	-	vjd
Dūctan ⁹ h ⁹ vy	-	-	-	iiijd	Joh Wiffmi	-	-	vjd
c'stin ⁹ clunes	-	-	-	iiijd	duo tene ^a Johis fichet hui ⁹	-	-	-
Suet barry	-	-	-	iiijd	vij dom ⁹	-	-	ijs
Johes Wiffi	-	-	-	vjd	Wiff nory	-	-	iiijd
Johes Walfson	-	-	-	iiijd	Wiffms Michaelis	-	-	xijd
Galsfridus Renfrw	-	-	-	xijd	cū vno alio	-	-	-
Wiffms scot	-	-	-	iiijd	Joh nory	-	-	vjd
Meg bowar	-	-	-	iiijd	Dom ⁹ Johis atkynson hūs	-	-	-
vxor gilb ⁹ ti h ⁹ vy	-	-	-	iiijd	vij dom ⁹	-	-	ijs
Johes gilb ⁹ ti	-	-	-	vjd	Andf Rič	-	-	xijd
Akynhede	-	-	-	iiijd	cū v dom ⁹	-	-	xijd

Dūctan ⁹ futhas	-	-	-	iiij	Gwny goldsmyth	-	-	iiij
Thom amfray	-	-	-	xvj	Wtdale	-	-	iiij
Joh vscher	-	-	-	xvj	Wiſſms taillour	-	-	vjd
Wiſſms vscher	-	-	-	iiij	Andr branche	-	-	-
Johes Voket	-	-	-	ijs	laur buchan	-	-	iiij
Joh Rob ⁹ ti	-	-	-	vjd	Wiſſms sprinct	-	-	vjd
Simō stil	-	-	-	vjd	Robt ⁹ gray	-	-	xij
Johes henrici	-	-	-	iijs	Thom Roule	-	-	xviij
Andr Andison	-	-	-	iiij	vxor blyndsele	-	-	vjd
Joh buchan	-	-	-	xij	Joh Nesbit	-	-	xviij
vxor Vicarij	-	-	-	iiij	Jacobus scynar	-	-	iiij
Thom crowtane	-	-	-	xij	cristin ⁹ crusonk	-	-	iiij
Joh futhas	-	-	-	vjd	Joh Abnethy	-	-	iiij
Elyn	-	-	-	-	Marion nux	-	-	iiij
Robt ⁹ fraf	-	-	-	xij	Thom turno	-	-	iiij
Thom lawsoñ	-	-	-	vjd	Wiſſ trayle	-	-	vjd
Joh Schelp	-	-	-	vjd	Simō palframā	-	-	viiij
vxor Johis lucre	-	-	-	-	Robtus harn	-	-	vjd
Johes Jacobi taillo	-	-	-	vjd	Joh barry	-	-	vjd
Anny lethe	-	-	-	-	vxor henr ewynson	-	-	iiij
Girkyn	-	-	-	vjd	Joh Suerdslep	-	-	iiij
Duthac ⁹ lownā	-	-	-	vjd	Wiſſms gilruth	-	-	vjd
Joh tulch	-	-	-	vjd	vxor thaynston	-	-	iiij
Mauld cuykl	-	-	-	iiij	Nicholayus gy	-	-	xij
cū socia sua	-	-	-	iiij	Roḡus sprinct	-	-	vjd
Thom abraam	-	-	-	-	Meḡ Scynar	-	-	iiij
Meḡ Walchop	-	-	-	iiij	Mathy coupar	-	-	iiij
Johes fynlay	-	-	-	vjd	Gib gley	-	-	-
Joh dūctani	-	-	-	-	Aby coupar	-	-	-
Vnus faber	-	-	-	iiij	Joh Robti	-	-	iiij
Wiſſms de camā	-	-	-	ijs	Joneta de hall	-	-	-
p ⁹ pot	-	-	-	ijs	Archibald smyth	-	-	vjd
Andr Johis	-	-	-	xviij	Wiſſ sperk	-	-	vjd
Alex ⁹ polloc	-	-	-	iiij	Alex ⁹ scyfiar	-	-	iiij
Meḡ huet	-	-	-	-	Andr Wricht	-	-	vjd
Joh scot	-	-	-	iiij	Edy bḡsta	-	-	iiij
Johes scherar	-	-	-	xij	Robt ⁹ lichardwod	-	-	iiij



COMMON LINGUISTIC AREALS

Joh polloc - - - -	iiij	Donald ⁹ l̃yinysoñ - - -	vjd
Joh goldsmyth - - -	iiij	Thō Johis - - - -	xijd
Carnebee - - - -	iiij	Joh crusank - - - -	iiij
Nicholayus lorym ² - - -	iiij	Alex ^r Johis - - - -	xijd
Thoñ Alani - - - -	vjd	Andř girg - - - -	xijd
Ric.[?] - - - -	vjd	Andř martyson - - -	vjd
Blackall - - - -	xijd	Joh de Morauia - - -	vjd
Robt ⁹ glespy - - - -	ijs	Adam Witli - - - -	vjd
Dauid blabir - - - -	xviiij	Andř polgowny - - -	iiij
R de Camla - - - -	vjd	Jac Joffraysoñ - - -	

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XI.

Vniuersis p̃ntes t̃ras insp̃cturis seu audituris pateat t̃ sit notu q̃ cu nup de t̃ sup liberāione Serenissimi principis t̃ dñi ñri Doñi Jacobi Regis Scottoꝝ in t̃ Serenissimū p̃ncipem Henricū Regem Anglie de auisamēto consilii sui ex vna pte t̃ dēm dñm Jacobum ac certos ambassiatores regni Scotie ad regnū anglie occasione liberaçonis h̃m̃oi transmissos ex alia In t̃ ceta concordatū appūctuatū t̃ conclusū existat q̃ dictus dñs Jacobus Rex soluet p̃fato Henrico Regi anglie ĩpiusve successorib; t̃ hedibus aut eoꝝ deputatę in eccl̃ia sc̃i pauli london in

XI.

*The provost, baillies, etc., of Aberdeen bind themselves in the sum of 50,000 merks sterling for the ransom of King James I. 16th February, 1423.**

To all who shall see or hear these present letters be it manifest and known that Whereas of late with respect to the liberation of the most serene prince and our lord, Lord James, King of Scots, between the most serene prince Henry, King of England, with advice of his council on the one part, and the said Lord James and certain ambassadors of the kingdom of Scotland sent to the kingdom of England in connection with the said liberation on the other part, it was among other things agreed, appointed and concluded that the said lord King James should pay to the foresaid Henry, King of England, or his successors and heirs, or those deputed or to be deputed by them, at the Church of St. Paul, in London, in England, forty thousand pounds of good and lawful

* See No. XVI., p. 22.

anglia quadraginta millia librarū bone ⁊ legalis monete anglie videlicet in ecclesia s̄ci pauli p̄dēa decem millia marcaꝝ monete p̄dēe infra sex mēses computandos a p̄mo die p̄mi sui ingressus in regnū suū scocie vel p̄ ip̄m stēit quomin⁹ ingredit⁹ Et quolib; āno ex tūc sequēte incipiendo ānū a fine āni computandi a p̄mo die inḡssus sui p̄dicti in ecclesia s̄ci pauli p̄dēa decem millia marcaꝝ q̄usq; dēa xl millia librarū fuerunt integre psoluta ac q̄ p̄ securitate soluionis p̄dēe fiende p̄dictus dñs Jacobus Rex fratorie sub suo sigillo se obliget ceteriq; ponant obsides ⁊ tre etiā quatuor burgoꝝ siue villarū regni scocie concordatarū v; de Edynburgh perth de Dundee ⁊ de Abden obligatorie p̄fati regi anglie tradant⁹ ⁊ libent⁹ Nos p̄pōitus et balliui burgi siue ville de Abden p̄dicti ac cōitas eiusdem ad sonū campane vt moris est in domo n̄ra cōi ad infrascripta sp̄ali⁹ congregati ⁊ cōitat n̄re ville facient⁹ ac considerant⁹ p̄fati Dñi Regis libaçonem nō solū nobis s; eciā toti regno scocie p̄ ip̄ius bono regimie desideratissimā ⁊ ip̄ius aduētū a m̄lte dieb; exp̄tatū nobis ⁊ toti regno suo fore iocundissimū ac p̄p̄tea volentes p̄dēa appūctuatēta ⁊ conclusa quātū ad nos cū effectu exequi ⁊

money of England, to wit, at the Church of St. Paul aforesaid, ten thousand merks of money aforesaid, within six months, to be reckoned from the first day of his first entry into his kingdom of Scotland, or whenever he shall appoint his entry, and in every year thereafter following, beginning the year from the end of the year to be reckoned from the first day of his entry aforesaid in the Church of St. Paul aforesaid, ten thousand merks until the said forty thousand pounds shall have been fully paid; And that, in security of the payment aforesaid being made, the said lord King James should bind himself by writing under his great seal, and that other hostages should be given, and that obligatory letters also of the four burghs or towns of the kingdom of Scotland in agreement should be granted and delivered to the foresaid King of England: We, the provost and bailies of the burgh or town of Aberdeen aforesaid and the community thereof, being specially convened for the matters underwritten at the sound of bell, as our use is in our town-house, and there constituting the head court of our town, and considering that the liberation of our foresaid lord the King is much to be desired, not by us alone, but also by all the kingdom of Scotland for its good government, and that his arrival, for many days looked forward to, would be most joyful for us and for the whole kingdom, and therefore wishing effectively to carry out and fulfil the foresaid

pimplere de pfati dñi Regis consensu et volūtate scienti sponte et in veritate dicim⁹ fatem^r ac nōie nō omniū et sigulox et cōmītatīs nōie p̄dēe recognoscim⁹ dñs p̄fatus dñs Jacobus Rex loco l̄mīs seu l̄mīo appūctuatē seu appūctuato nō solūt et nō obfuaūt vt p̄dēm est nos et successores nōs obligatos p̄fato regi anglie et ip̄ius hēdib; et successorib; in quiquaginta millib; marcaꝝ bone et legalis monete anglie quāquid sūmā quiquaginta milliū marcaꝝ vice et nōib; nōm oīm et singlōꝝ ac Cōmītatē nōie p nobis et successorib; nōis p̄m̄tim⁹ et vnusquisq; nōm p̄ncipalit^r p se hēde et successore suo in solidū p̄m̄tit i casu nō soluconis et nō obfuaconis p̄dcaꝝ soluere dēo Henrico Regi anglie et hēdib; suis et ip̄ius successorib; vt eorū dēto nūcio p̄ntes tras seu eaꝝ transsūptum deferenti vt habenti in ecclia sēi pauli londoni in anglia infra mēsem computand a tempe seu l̄mīo q^o p̄mo p̄fatus Jacobus Rex in soluēdo contra appūctuamētum in ea pte hitū et supius recitatū defecit absq; dilacone vltiori Volum⁹ insup et concedim⁹ p p̄ntes p nobis et successorib; nōis vt ip̄e Henricus Rex anglie p̄dictus ip̄iusve heres aut quīs successor possit fori p̄uilegio nō obstaī nos et successores nōs et

appointments and agreements as far as they concern us, with the consent and will of the said lord the King, knowingly, of our own accord, and in truth, say, declare, and in name of ourselves, all and sundry, and of our community aforesaid, bind ourselves that if the said lord King James shall not at the term or terms appointed have made payment and observed the stipulations as aforesaid, we and our successors shall be bound to the foresaid King of England and his heirs and successors in fifty thousand merks, good and lawful money of England, which sum of fifty thousand merks on the part and in name of ourselves, all and sundry, and of our community, we, for us and our successors, promise, and each of us as a principal for himself, his heir and successor, *in solidum*, promises, in case of the non-payment and non-observance aforesaid, to pay to the said Henry, King of England, and his heirs and successors, or to their accredited ambassador bearing or having the present letters or a transumpt thereof, in the Church of St. Paul in London, within a month, to be reckoned from the time or term when the foresaid King James, contrary to the appointment made in that matter and above set forth, shall first fail to pay without further delay: We will, moreover, and by these presents grant for us and our successors, that the said Henry, King of England, or his heir or successor whosoever, notwithstanding the privilege of forum, shall

quēlib; nrm̄ in solidū ⁊ quē volūit vice ⁊ nōie cōitatē nre ⁊ ip̄am coitatem vbiq; locoꝝ atq; t̄rar; i oīmi foro ⁊ sub quocūq; iudice tam eccl̄astico q̄ s̄clari i oīmi curia ad soluōnē sumē p̄d̄ce in toto vel in pte cōueniṛ nō obstante v̄t p̄iudicante s̄ v̄t si ptem debiti in iudiō v̄t extra exigit v̄t recipit ab aliquo nrm̄ nō min⁹ possit ip̄m eundem vel eciam reliquos nrm̄ ⁊ quē nrm̄ maluerit ad residuū sumē v̄t debiṛ hmoi p̄ncipalit̄ ⁊ in solidū cōueniṛ p̄m̄tentes nos nō p̄bare soluōnem aut libaōnem hmoi debiti fore sc̄am nisi p p̄ntes t̄ras incisas vel cancellatas aut acquitanciā sub magno sigillo Regis anglie in hac pte conficiendā p soluōne vero sup̄d̄cā ceterisq; p̄missis fidelit̄ ac firmiṛ p̄implendē obligamus nos ⁊ nrm̄ quēlibet p se p̄ncipalit̄ ⁊ insolidū nōie ⁊ vice nre cōitatē p̄dicte ⁊ nram cōmitatem ac oīia bona nra p̄p̄a ⁊ cōmitatis nre aūdiē p̄ncia ⁊ futura v̄bicūq; locoꝝ ⁊ t̄rar; iuenta Renūciates exceptōni rei non sic geste b̄nficō lesionis restitūōnis ⁊ circūuēōnis iurē canonici ⁊ ciuilis auxilio oīi statuto consuetudini p̄uilegio ⁊ oīi iuri p quod gēnalis renuciāō reprobāt vel

have power to conuene us and our successors and any one of us *in solidum*, whomsoever he may wish, on the part and in name of our community, and the community itself, in any place or land, in any forum, and before any judge, ecclesiastical or secular, in any court, for payment of the sum aforesaid, in whole or in part, there being no obstacle or prejudice to him, although he shall have exacted or received part of the debt, judicially or otherwise, from any one of us, from summoning, as a principal and *in solidum*, the same or the rest of us, or whichever of us he may prefer, for the balance of this sum or debt, promising not to prove the payment or discharge, save by the present letters being cut or cancelled or by an acquittance hereof under the great seal of the King of England. For payment, moreover, above-mentioned, and for the faithful and sure implementing of the other premisses, we bind ourselves and each of us for himself, as principal and *in solidum*, in the name and on the part of our community aforesaid, and our community and all the goods of ourselves individually and of our community aforesaid, present and future, in whatever place or land they may be found, renouncing the exception of *res non sic gesta*, benefit of lesion, restitution and circumvention, the aid of the canon and civil law, all statutes, usages, privileges, and all laws by which a general renunciation is reprobated and said to be of no force, and all other

dicūt nō valere ac om̃ibꝫ aliis excep̃cionibꝫ obligãcionibꝫ ⁊ defensionibꝫ que possint contra p̃ntes t̃ras vel contenta in eis̃dm obici vel opponi In cuiꝰ rei testiōm atqꝫ fidem sigillum ñrm Comūe p̃ntibꝫ est appensum apud perth decimo sexto die meñs february Anno dñi Mil̃mo quadringētesimo vicesimo ꝑcio secundum computãonem eccl̃ie scoticane

XII.

R. p̃ t̃ras suas patentes p̃ unū annū duratur' ad supplicatōem Thome Weston civis et piscenarii civitatis R̃ London' suscepit in salvū et securum conductum R̃ ac in p̃tectōem tuitōem et defensionem suas sp̃ales Adam Dolas et Willelm Shortyng m̃catores ville de Abirden in Scotia ad p̃dtam civitatē R̃ London' cum decem hōibꝫ in comitiva sua p̃ mare in quadam navi diṽsis m̃candisis carcata veniendo ibidem morando et p̃hendinando et exinde ṽsus partes suas p̃dtas absqꝫ impedimento

exceptions, obligations and defences which can be objected or opposed. In witness and faith whereof our common seal is appended to these presents at Perth, the sixteenth day of the month of February, in the year of our Lord one thousand four hundred and twenty-three, according to the reckoning of the Church of Scotland.

XII.

King Henry VI. grants a safe conduct to two Aberdeen merchants.
11th July, 1426.

The King, by his letters patent, to be in force for one year, on petition of Thomas Weston, citizen and fishmonger of the royal city of London, has taken in safe and sure royal conduct, and under his special protection, guard and defence, Adam Dolas and William Shortyng, merchants of the town of Aberdeen in Scotland, travelling with ten men in their company to the foresaid royal city of London by sea in a certain ship, laden with divers merchandise, remaining there and taking in cargo, and thence returning towards their own country without

vel pturbatōe quacumq, redeundo Et quia p̄dtus Thomas ac Riçus Esgaston et Reginaldus Darlyngton cives et piscenarii London' coram R' in cancellar' sua psonali^r constituti manuceperunt videlt quil't eoꝝ sub pena viginti libraz qd p̄dti Adam et Wiſſs navem p̄dtam ad eandem civitatem B London inibi discarcand' et non alibi adduci fac' et qd ante eoꝝ recessum abinde de custumis subsidiis et aliis dev^oiis B p m̄candis debitis fidei^r respondeat' quam quidem sūmam quil't manucaptoꝝ p̄dtoꝝ p se concessit de t̄ris et catallis suis ad opus B levare si p̄dti Adam et Wiſſs navem p̄dtam ad dtam civitatem B inibi discarcand' et non alibi non adducant seu adduci fac' ac B de custumis subsidiis et aliis dev^oiis in ea parte debitis non respondeat' ut p̄dtm est Proviso semp qd p̄dti Adam et Wiſſs ac ipi quos secum adducent se bene et honeste gerant erga R' et pp̄m suū quicq^m in B seu ejusdem p̄p̄i B p̄judicium vel dampnū nullatenus faciendo vel attemptando cont^a statuta et ordinatōes regni B Angl' qdq, ipi in aliquo castroꝝ fortalitioꝝ seu villaz B firmataꝝ absq, eo qd ipi p̄sentes tras B de salvo conductu capitaneis officiariis seu custodibz eoꝝdem quibz ptinet

any hindrance or obstruction. And whereas the foresaid Thomas and Richard Esgaston and Reginald Darlington, citizens and fishmongers of London, appearing in person before the King in Chancery, have given caution each in the sum of twenty pounds, that the foresaid Adam and William shall cause the foresaid ship to be brought to the said royal city of London, there to be unladen and not elsewhere, and that before their return thence they shall faithfully discharge the customs, imposts and duties leviable on the merchandise; which sum each of the cautioners aforesaid has granted by himself from his lands and chattels for the King's behoof, if the foresaid Adam and William shall not bring, or cause to be brought, the foresaid ship to the said royal city of London, therein to be unladen and not elsewhere, and if the King shall not be satisfied of the customs, imposts and duties leviable thereon as aforesaid. Providing always that the foresaid Adam and William, and those that they bring with them, shall conduct themselves well and honourably towards the King and his people, doing or attempting nothing to cause prejudice or loss to the King or his people against the statutes and ordinances of the realm of the King of England; and that they shall not enter any fortified royal castle, stronghold or town, without in the first place exhibiting the present royal letters of safe conduct to the captains,

primitus demonstrent non ingrediant^r quovis modo Apud Westm' xj die Julii [1426] P bre de privato sigillo.*

XIII.

Jacobus dei grā Rex Scotorum Omnibus &c. saltm Sciatis q pro singlari devoçoe quā gerim⁹ erga gloriosissimā ūginē mariā patronā ecclie cathedralis Aberdoneñ in laudē ⁊ honorē eiusdē ac p spēali fauorē zelo et dileçoe quos habemus erga reuerend in xpo⁹ p̄rem Wiłm de Elphinstoñ eiusdē ecclie cathed^{lis} modernū epm et prelatū qsiliariū nrm intime dilectū et pro suis fideli et gratūto ūicio magnisq laboribus ac q^a pluribus expens et in ptē recompensaōis earū diū t̄pibus in

officers or keepers thereof whom it may concern. At Westminster, 11th July [1426], under the privy seal.

XIII.

King James IV., inter alia, creates the city of Old Aberdeen a free burgh of Barony. 26th December, 1489.

James, by the grace of God King of Scots, to all, etc., greeting. Know ye that, for the singular devotion that we bear towards the most glorious Virgin Mary, patron of the Cathedral Church of Aberdeen, in praise and honour of the same; and for the special favour, zeal and affection that we have towards the reverend father in God, William of Elphinston, now bishop and prelate of the said Cathedral Church, our much beloved councillor; and for all his faithful and gratuitous service, and great labours and heavy expenses (and in part repayment thereof) incurred at divers times in missions and embassies

* Similar letters of safe conduct are granted to the following burgesses of Aberdeen :

- 1433, Oct. 6. John Fyf, Matthew Fycheat, and Andrew Coleyn.
- 1435, Dec. 10. John Fyf, Matthew Fychet.
- 1437, Feb. 23. Andrew Coleyn, John Kempty, John Blak, and David Symson.
- 1438, May 14. John de Vaus, Richard de Kyntore, Duncan de Glait, David Clerc, John Vocate, James de Vaus, and William de Vaus.
- Nov. 20. Andrew Coleyne and William Voket.
- 1438, Feb. 10. Richard Rotherford, Robert Blynssell, John de Stratton, and John Burnard.
- 1440, Feb. 10. John de Fyf, Thomas Kyndy, John Kyndy, and Andrew Allynson.
- 1463, Mar. 14. David Menies.

legacionib; et ambassiatę ad francie ⁊ anglie Reges ⁊ Regna burgundie ⁊ austrie ducē ac ad partes alias necnon in nro iudicio infra nrm Regnū p Repu^a ⁊ tranquillitate eiusd. Approbaim⁹ ratificaim⁹ et cū aūsamēto nri qsilii de nouo dedim⁹ qcessim⁹ mortificaimus ⁊ qfirmaim⁹ et hac pnti carta nra approbam⁹ ratificam⁹ dam⁹ qcedim⁹ et p nobis et successorib; nris mortificam⁹ et ad manū mortuā p ppetuo qfirmam⁹ omēs ⁊ singlas donacōes qcessiones fundacōes ⁊ infeodationes p predecessores aut pgenitores nros inclitissimos siue alios dnos aut barones vel quascumq; alias psonas spūales a^t temporales ate qfecōem pntis carte nre factas epis et plate ac ecclie cathe^a aberdoneñ de quibuscū; Yre ānuis redditib; molendis piscacōib; libere forestę ⁊ warēnis ecclis capellaniis ⁊ possessionib; quibuscū; datę vnitis aut mortificatę eid ecclie cathe^a aberdoneñ seu infra eand p aniūuariis seu als quouismodo cū omib; pūilegiis imunitatib; libertatibus et comōditatibus quibuscū; ad hmoi spectāñ seu qualicū; spectār valeñ in futurę p ipm reuerend in xpo prem suosq; successores epōs aberdoneñ tenend possedend ⁊ habend de nobis et successorib; nris i purā ⁊ ppetuā elimosinā adeo libe ⁊ quiete in omib; et p omia sicut

to the kings and kingdoms of France and England, the dukes of Burgundy and Austria, and to other foreign parts, and in our service within our kingdom on behalf of the commonwealth and the peace thereof; We have approved, ratified, and, with consent of our council, of new given, granted, mortified and confirmed, and by this our present charter do approve, ratify, give, grant, and for us and our successors mortify, and for ever confirm in mortmain, all and sundry gifts, grants, foundations and infestments made by our most renowned predecessors or ancestors, or by other lords or barons, or by any other persons whatsoever, spiritual or temporal, before the expeding of our present charter, to the bishops and prelates and Cathedral Church of Aberdeen, of lands, annual rents, mills, free fishings, forests and warrens, churches, chaplainries, and possessions whatsoever, given, united or mortified to the said Cathedral Church of Aberdeen, or within the same, for anniversaries or other purposes, with all privileges, immunities, liberties, and conveniences whatsoever, belonging or that may in any way belong in future thereto: to be held, possessed and had by the said reverend father in Christ, of us and our successors, in pure and perpetual alms, as freely and quietly, in all and through all, as the charters and evidents thereon expede, and our present gift

carte ⁊ euidēcie inde ꝓfecte et preseñ nostꝛ dona° ⁊ mortifica° in se
 ꝓportant et testantur Concessim⁹ ⁊ tenoꝛ pñte carte nꝛe ꝓcedim⁹
 q Ruptores ⁊ violatores dictarū imunitatū capiātur ī nꝛis idictamēte
 ꝓ clericos nꝛe Justiciarie et crimē ꝓ illos inde comissꝛ ꝓ pñcto nꝛi
 dictamīs in futurę reputetur et dicti delinquētes ꝓ eoꝛ ad mortē
 puniētur Aceciā dedim⁹ et ꝓcessim⁹ ⁊ hac pñti carta nꝛa dam⁹ et
 concedim⁹ predicto reuerendo pꝛi suisqꝫ successoribꝫ ac capitulo et
 canoicę dicte ecclēie cathe^{dra}l^{ice} aberdoneñ nūc pñtibꝫ ⁊ futurę plenariū
 ꝓuilegiū libertatē et ꝓtatem quecūꝫ victualia vina aut alias mēcācias
 infra portū nꝛm de aberdene seu extra eundē apportatꝫ a quibuscūꝫ
 nꝛis ligeis seu extraneis aliorū regnorū illuc adueniētibus ꝓ eoꝛ opor-
 tūis vtilitatibꝫ et ad ipsorū ⁊ suorū dōiciliorū sustentacōes honestas
 emēdi Et dicꝫ victualia vina seu mēcācias iterū mēce vendēdi a^{ut} desup
 quouismodo mēcandizandi put tempibus retroactę inuolabilitꝫ obꝓuatū
 fuit Ac insup q nobis nꝛoꝫ ꝓsilio ꝓ antiqua nꝛa Registra ⁊ aīis
 euidētꝫ luculentꝫ q ꝓstat quōd serenissimū ꝓdecessorē nꝛm Daud
 Scotorū regem gloriosissimū infeodassē canonīā de Aberdone cū ꝓtinen
 vulgari⁹ nūcupat le ald aberdone in sedē epalē ⁊ ciuitatē impꝛm cū

and mortification in themselves set forth and testify. And we have granted,
 and by the tenor of our present charter do grant, that transgressors and violators
 of the said immunities be taken on our indictments by our justice clerks, and
 the crime so committed by them be henceforth held as a ground of indictment;
 and the said delinquents be punished therefor even to death. And also
 we have given and granted, and by this our present charter do give and
 grant, to the foresaid reverend father and his successors, and to the chapter
 and canons of the said Cathedral Church of Aberdeen, for the time being
 and to come, full privilege, liberty and power to buy all sorts of victuals,
 wines and other merchandise brought within the port of Aberdeen, or outwith
 the same, by our lieges whatsoever, or by strangers from other kingdoms
 coming thither for their own profit and for the honourable support of them-
 selves and their households; and to sell again the said victuals, wines or
 merchandise; or to traffic therewith in any way, as in times past has been
 inviolably observed. And moreover, whereas by our ancient records and other-
 wise it is fully and clearly evident to us and to our Council that our umquhile
 most serene predecessor David, King of Scots, of glorious memory, did infeft
 the Chanonry of Aberdeen with its pertinents, commonly called Old Aberdeen,

om̃ibus juribz libertatibz et p̃uilegijs ad citatē spectāñ Ipamq; canonīā reputam⁹ et declaram⁹ sic infeodatā esse ⁊ fuisse et eandē ecīā de nouo infeodaim⁹ cū oībus juribz libertābz et p̃uilegijs ad ciuitatē spectāñ ut pmittitur et adeo libere sicut aliqua ciuitas infra regnū nr̃m infeodatur aut possidetur Et pro maiori firmitate ac clariori libertate p̃dicte citē et p̃ vtilitate quiete ⁊ necessaria sustenta^m p̃fati reuēde in xpo pris suorūq; successorū ac capituli canonicorū et capellanorū dicte eccleie cathe^{lic} Aberdoneñ eorūq; ſuitorū et familiariū apud dicī ciuitatē ⁊ villā de le ald aberdone residenciū creau⁹ et feci⁹ et tenor p̃ntē carte nr̃e ſam⁹ ⁊ facim⁹ p̃dicī ciuitatē ⁊ villā de le ald aberdone in vnū merū ⁊ liberū burgū in baronia imppe^m Concessim⁹ ecīā ⁊ qcedim⁹ inhitantibz p̃dicī citatē villā ⁊ burgū et in postrū ihabita^r plenariā p̃tatem et liber^{tem} emēdj et vendendi in ipo burgo vīna cerā panū laneū ⁊ lineū latū et strictū aliaq; m̃cimonia Ac hndj et tenēdj pistores brasiatores carnifices ⁊ tā carniū q; pisciū macellarios aliosq; artiū oparios ad lib^{er}tatē burgi i baronia quali^{ter}cūq; spectāñ Necnō qcessim⁹ et concedi⁹ p̃dicto Reuerendo p̃ri ⁊ suis successoribz aberdoneñ ep̃is

as the See of a bishop and as a city for ever, with all rights, liberties and privileges belonging to a city: the said Chanonry we do acknowledge and declare to have been and to be so infeft; and the same also we have infeft of new with all rights, liberties and privileges belonging to a city as aforesaid, and as freely as any city within our kingdom is infeft and possessed. And for the greater security and ampler liberty of the foresaid city, and for the behoof, ease and necessary maintenance of the said reverend father and his successors, and of the chapter, canons and chaplains of the said Cathedral Church of Aberdeen, and their households and servants residing in the said city and town of Old Aberdeen, we have created and made, and by the tenor of our present charter do create and make the foresaid city and town of Old Aberdeen a true and free burgh in barony for ever. We have also granted and do grant to the inhabitants of the foresaid city, town and burgh, now and to come, full power and liberty to buy and sell within the said burgh, wines, wax, cloth, woollen and linen, broad and narrow, and other merchandise; and to have and to hold bakers, brewers, butchers and sellers of flesh and of fish, and other craftsmen in any way belonging to the freedom of a burgh in barony. As also we have granted and do grant to the foresaid reverend father and his successors, bishops of Aberdeen, power to choose annually, in the said city,

p̄tatē aſſuati balliuos ſiados et alios officiarios infra dictē citē villā ⁊ burgū in baronia p̄ regemiē eiusd̄ neceſſios eligendj Et q̄ ſint burgeſes in eiſd̄ et q̄ heant teneāt et poſſedeāt crucē et forū in ip̄is citate villa ⁊ burgo ⁊ diē fori ſinglis ebdomidē in die lune et nūdinas pu^m ſinglis ānis ippetuū vnā vjz in cena Dñi ante pascha vulgarit^o nūcupat̄ Skyr̄ thurisd̄ay Aliā vero in diē ſancti luce ewangiliſte et p̄ octauas eiusd̄ cū oibz theolo^{is} liber^{bz} et p̄uilegijs ad hmoi nūdinas ac ad citatē et liberū burgū in baronia ſpectaſi ſeu juſte ſpectaſi valeſi in futurū Tenend̄ ⁊ habend̄ omēs ⁊ ſinglas terras ānuos redditus molendina piſca^m liberas foreſtas ⁊ warēnas ecclias ⁊ capellanas et poſſeſſiones quascūq̄ eid̄ ecclie cathe^{li} aberdoneſi ſeu infra eand̄ p̄ āniūſarijs ſeu ats quouiſmodo cū omibz ſuis p̄uilegijs imunitatibz liber^{bz} et cōmodita^{bz} quibuseū; p̄us vt p̄mitti^r dat̄ vni^t a^t mortificaſ et nūc p̄ nos de nouo q̄ceſſ appbaſ ratificaſ mortificaſ et q̄firmaſ cū alijs libertatibz ſup^rſcriptē et cū capella breuia deliberandi p̄dicto reuerēdo p̄ri et ſuis ſucceſſo^{bz} ep̄is Aberdoneſi de nobis et ſucceſſo^{bz} nr̄is i purā et p̄petuā elimoſinā ac ad manū mortuā imppe^m adeo libe^r et quiete i omibz et p̄ omia ſicut carte ⁊ euidentie inde q̄fecte et

town and burgh in barony, baillies, ſerjeants and other officers neceſſary for the government thereof; and that there be burgeſſes therein, and that they have, hold and poſſeſs a croſs and a market-place in the ſaid city, town and burgh, and a weekly market-day on Monday, and public fairs every year for ever, viz, one on the day before Good Friday, commonly called Skyre Thursday, and the other on St. Luke the Evangelist's Day [18th October], and during eight days therefrom, with all tolls, liberties and privileges belonging, or that may in future rightly come to belong, to ſuch fairs and free burgh in barony, and to a city and a university. To be held and had, all and ſundry lands, annual rents, mills, free fiſhings, foreſts and warrens, churches and chaplainries, and poſſeſſions whatſoever, given, united or mortified to the ſaid Cathedral Church of Aberdeen, or within the ſame, for anniverſaries or other purpoſes, with all their privileges, immunities, liberties and conveniences whatſoever as aforeſaid, and now by us of new ratified, mortified and confirmed, with other liberties above-written, and with a chancery for iſſuing brieves; by the foreſaid reverend father and his ſucceſſors, biſhops of Aberdeen, of us and our ſucceſſors, in pure and perpetual alms, and in mortmain for ever; as freely and quietly in all and through all as the charters and evidents thereon expedē, and our preſent

ꝑseñ nostr̃ dona° et mortificatio vt ꝑmissū est in se plenī⁹ ꝑportat et testantur Et adeo libere sicut aliqua elemosina cuicūq; ep̃o vel prelate aut sedi ep̃ali infra Regnū n̄rm datur ꝓceditur infeodatur ꝓfirmatur mortifica' a' possedetur aut dari ꝓcedj infeodari ꝓfirmari mortificari vel possedj poterit qualicūq; in futurū Necnō tenend et habend predict̃ cī^m et villā nūcupat le ald aberdone ꝓpetuis futurē temporibus ī cītatē ac merū et liberū burgū in baronia cū sup̄dictē ꝓuilegijs libertatibus ⁊ cōcessiōib; ac vniū alijs liberb; ꝓfcuis cōmoditatib; et asiamētē ac justē suis ꝓtineñ quibuscūq; tam nō nōiatē q' nōiatē ad ciuitatē et burgū ī baronia spectāñ seu juste spectare valeñ in futurū Et adeo libeꝝ quiete plenarie integre hono^m bn et in pace in om̄ib; et ꝓ om̄ia sicut aliqua cītas aut aliquis burgus ī baronia in regno n̄ro quibuscūq; tempibus retroactē liberius infeodatur seu tenetur sine aliqua reuo^m aut ꝓtradiccōe n̄rj aut successorū n̄roꝝ q' rucūq; quouis modo sup ꝓmis̃ faciēd in futurē Faciendo inde ꝓ ꝓpetuo id reuerendus in xꝑo pater ⁊ successores sui ac canōicj et capitulū aberdoneñ ꝓ nobis ac ꝓdecessōb; et successoribus n̄ris oꝛonū suffragia deuotarū īm In cuius rei testimo^m ꝓāti carte n̄re magnū sigillū n̄rm apponi

gift and mortification as aforesaid do in themselves set forth and testify; and as freely as any alms is or can anywise in future be given, granted, infest, confirmed, mortified to or possessed by any bishop, or prelate, or episcopal See within our kingdom. As also to be held and had the foresaid city and town called Old Aberdeen in all time to come as a city and as a true and free burgh in barony, with the foresaid privileges, liberties and grants, and with all other liberties, profits, advantages, easements and their just pertinents whatsoever, both not named and named, belonging, or that may in any way in future come justly to belong, to a city and a burgh in barony; and as freely, quietly, fully, wholly, honourably, well and in peace, in all and through all, as any city or burgh in barony within our kingdom in any times past was infest or held, and without any revocation or challenge to be made by us or by our successors whatsoever in any way on the premises in time to come. Rendering therefor for ever the said reverend father in Christ and his successors, and the canons and chapter of Aberdeen, on behalf of us and our predecessors and successors, the offering of devout prayers alone. In witness whereof we have commanded our great seal to be appended to this our present charter. Witnesses: The

ꝑcepim⁹ Testibus reuerendę in xꝑo ꝑribus Roberto eꝑo Glasgueñ
 Georgio eꝑo Dunkeldeñ Wiſſmo eꝑo Aberdoneñ dilectę qsanĝneis
 nꝛis Colino coite de Ergile dno Campbell ꝛ lorne cancellario nꝛo Pałcio
 coite de Boithvile dno Halys maĝro Hospicij nꝛi Wiſſmo comite de
 Eroll dno Hay qsta^{rio} rēgni nꝛi Johe dno Glām̃ys Johe dno Drūmond
 Justiciarijs nꝛis Alex° Hume de eođ magno camerario nꝛo Andrea
 dno Gray Laurencio dno Oliphant Wiſſmo dno sancti Joh̃is thesaurario
 nꝛo venerabli i xꝑo ꝑre Johanne ꝑoꝛ monasterij nꝛi sanctiandre nꝛi
 secreti sigilli custode et dilectis cꝑice nꝛis maĝris Alex° ingl̃is arch^{mo}
 sancti andre Ricardo murhede decano Glasgueñ rotulorꝝ nꝛorꝝ ꝛ
 registꝛ ac qsilii cꝑico ꝛ Archi^{do} quhitlaw subdecano Glasgueñ secre-
 tario nꝛo Aꝑd Edinburgh vicesimo sexto die mēs Decembrę Anno
 Dñi j^m iiij^o lxxxix^{mo} Et Regni nꝛi scđo

XIV.

Jacobus Dei gracia Rex Scotorum omnibus probis hominibus tocius
 terre sue clericis et laicis saltm̃ Sciātę quia pro singulari deuocione

reverend father in Christ, Robert, bishop of Glasgow; George, bishop of Dun-
 keld; William, bishop of Aberdeen; our beloved cousins, Colin, Earl of
 Argyll; Lord Campbell and Lorne, our Chancellor; Patrick, Earl of Bothwell,
 Lord Hales, master of our household; William, Earl of Errol, Lord Hay,
 constable of our kingdom; John, Lord Glamis; John, Lord Drummond, our
 justiciars; Alexander Hume of that Ilk, our high chamberlain; Andrew, Lord
 Gray; Laurence, Lord Oliphant; William, Lord St. John, our Treasurer; the
 venerable father in Christ, John, Prior of our Monastery of St. Andrews, Keeper
 of our Privy Seal; and our beloved clerks, Masters Alexander Inglis, Archdeacon
 of St. Andrews; Richard Muirhead, Dean of Glasgow, clerk of our rolls, and
 register, and council; and Archibald Whitelaw, sub-Dean of Glasgow, our
 secretary. At Edinburgh, the twenty-sixth day of the month of September
 in the year of our Lord mccccclxxxix., and of our reign the second.

XIV.

King James IV. creates the town of Torry a free burgh of barony.

11th December, 1495.

James, by the grace of God King of Scots, to all good men of his whole
 land, churchmen and laymen, greeting. Know ye that for the singular

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quā habemus b̄to m̄tiri sancto Thoma et sancto Fotino patrūno villē de Torry jaceñ infra vicecoñū n̄rm de Kincardin ac pro amore ⁊ fauore quos gerim⁹ erga venerabilē in xp̄o p̄r̄ David abbatē monasterij n̄ri de Aberbrothok necnon asiamēto ⁊ supportaçoē extraneoꝝ alienoꝝ n̄foꝝ, legioꝝ in dicta villa hospitandorū qui venientes extra mōtem versus burgū n̄rm de Abirdene aliasve boriales regni n̄ri p̄tes p̄p̄ aieris intemperie aquā de Dee forte p̄transire nō poterunt infeodauimus creauim⁹ et fecim⁹ ⁊ hac p̄nti carta n̄ra infeodamus creamus et fecimus dictā villā de Torry liberū burgū in baronia pro p̄petuo Concessim⁹ ecia et hac p̄nti carta n̄ra cōcedim⁹ inhabitantibꝫ d̄fm burgū et iposterū inhabitaturē plenariā p̄tatē et liberā facultatē emēdi et vendendi in ipo burgo vina cera panū laneū et lineū latū et artū aliaꝫ m̄cimonia quecūqꝫ cū p̄tate et libertate habendi et tenendi pistores brasiatores ⁊ carnifices et tā carniū qꝫ pisciū macellarios aliosqꝫ artium oꝑarios ad libertatē burgi in barōia qualitercūqꝫ spectāñ ⁊ p̄tineñ Concessim⁹ ecia ⁊ hac p̄nti carta n̄ra cōcedim⁹ ut in d̄to burgo sint burgenses et ibidem cū consensu dicti abbatis ⁊ successorū suorū qui

reverence which we have towards the blessed martyr, Saint Thomas, and towards Saint Fotin, patron of the town of Torry, lying within our sheriffdom of Kincardine, and for the love and favour which we bear towards the venerable father in Christ, David, abbot of our monastery of Arbroath, as well as for the convenience and support of alien strangers and of our lieges lodging in the said town, who, coming from beyond the mount towards our burgh of Aberdeen, or other northern parts of our kingdom, might by reason of tempest be unable to cross the water of Dee—we have infest created and made, and by this our present charter do infest, create and make the said town of Torry a free burgh in barony for ever; we have also granted, and by this our present charter do grant, to the dwellers in the said burgh, and to those who shall dwell therein for ever, full power and free faculty to buy and to sell in the said burgh wines, wax, woollen and linen cloth, wide and narrow, and other merchandise whatsoever, with power and liberty to have and hold bakers, brewers, and sellers both of flesh and of fish, and other craftsmen belonging and pertaining in what way soever to the liberty of a burgh in barony; we have also granted, and by this our present charter do grant, that there be burgesses in the said burgh, and that therein, with consent of the said abbot and his successors for the time being, they have in future the

pro tempe fuerit p̄tatem habeant future tempibus elegendi balliuos aliosq̄ officarios pro gubernat̄ eiusd̄ burgi necessarios Necnō cōcessim⁹ ⁊ hac p̄nti carta n̄ra cōcedim⁹ burgeñ ⁊ inhabitañ d̄rm burgū vt in ipo burgo habeāt teneāt ⁊ possideant pro ppetuo crucē ⁊ forū die venerē singulis ebdomadis ⁊ nudinas publicas singulis ānis in festo siue die sancti Fotini cū quatuor dieb; proximo inde sequeñ cū theoloneis ⁊ om̄ib; libertatib; ad h̄mōi nudinas spectañ seu juste spectare valeñ in futurū Tenend̄ et habend̄ pred̄tam villā de Torry in liberū ac merū burgū in baronia cum supra d̄tis preuilegiis libertatib; ⁊ cōcessionib; ac vniuerſ aliis libertatib; proficuis cōmoditatib; et asiamētis ac justis ptineñ quibuscunq; tā nō nōiat̄is q̄ nōiat̄is ad burgū in barōia spectañ seu juste spectare valeñ in futurū Et adeo libere sicut aliquis burg⁹ in barōia infra regnū n̄r; infeodat̄ seu tenetur sine reuocaōe quacūq; In cuius rei testimoniū p̄nti carte n̄re magnū sigillū n̄rm appoi precipimus Testib; reuerendo in xpo patre Willmo ep̄o abirdoneñ n̄ri secreti sigilli custode dilectis cōsanguineis n̄ris archibaldo comite Angusie dño Dowglas cancellario n̄ro Patricio cōite de Boithuile dño Halç Alexrō domino Hume magno

power to choose baillies and other necessary officers for the government of the said burgh; we have as well granted, and by this our present charter do grant, to the burgesses and inhabitants of the said burgh, that therein they may have, hold and possess for ever a cross, a weekly market on Friday, and a yearly public fair on the feast or day of Saint Fotin with the four days immediately following, with tolls and all liberties belonging, or which may in future justly belong, to such markets: To be held and had the foresaid town of Torry in free and mere burgh of barony, with the aforesaid privileges, liberties and grants, and with all other liberties, profits, conveniences and easements and just pertinents whatsoever, both not named and named, belonging, or which in future may justly belong, to a burgh in barony; And that as freely as any burgh in barony within our kingdom is infest or held, without any revocation whatsoever. In witness whereof we have ordered our great seal to be appended to our present charter. Witnesses: The reverend father in Christ, William, bishop of Aberdeen, keeper of our privy seal; our beloved cousins, Archibald, Earl of Angus, lord Douglas, our chancellor; Patrick, Earl of Bothwell, Lord Hales; Alexander lord

camario nro Johanne dno Drumond justiciario nro Et dilectis clericis nris magris Ricardo murehede decano Glasgueñ secretario nro et Waltero Drumond decano Dumblaneñ nrorū rotulorū ⁊ registri ac cōsiliū clerico apud monasteriū nrm de Abirbrothok vndecimo die mē Decembre anno Dñi milimo quadringentemo nonagesimo quito Et regni nri octauo

XV.

IN DEI NÖIE amen per hoc pñs publicum Instrumētum cunctis pateat euidenter et sit notum quod anno incarnationis dominice millesimo quingenmo quinquagesimo nono mensis vero decēbris die vigesimo nono indictione tertia pontificatus pii pape quarti anno primo In mei notarii publici et testium infrascriptorum pñtia personaliter constitutus religiosus vir frater Joannes roger gardianus fratrum minoritarum burgi de abirdene qui publice exposuit qualiter certi enormes hoies huius regni Scotie quo animo ducti deus scit

Hume, our high chamberlain; John lord Drummond, our justiciar; and our beloved clerks Masters Richard Muirhead, dean of Glasgow, our secretary, and Walter Drummond, dean of Dunblane, clerk of our rolls and register and council. At our monastery of Arbroath the eleventh day of the month of December in the year of our Lord one thousand four hundred and ninety-five, and of our reign the eighth.

XV.

*The Minor or Gray Friars resign their possessions in favour of the Burgh.
29th December, 1559.*

IN THE NAME OF GOD, Amen. By this present public instrument be it made manifest and known to all men that in the year of the incarnation of our Lord, one thousand five hundred and fifty-nine, on the twenty-ninth day of the month of December, in the third indiction, in the first year of the pontificate of Pope Pius the fourth: In presence of me, notary public, and of the witnesses underwritten, personally compeared a holy man, Friar John Roger, Superior of the Minorite Friars of the burgh of Aberdeen, who publicly proclaimed how certain infamous men of this kingdom of Scotland,

distruxerunt et dissipauerunt templa hospicia edes et ortos monasteriorum et locorum religiosorum regni eaq, funditus euerterunt et solo equarunt Et (vt cōis populi vox est) certi eiusdem secte homines regno capite destituto in absentia dñe nre regine jam pridem venturi sunt obruere et dissipare templa loca hospicia edes et ortos eorundem fratrum minoritarum quibus Inuasoribus vt asseruit resistere nequit Ideo cum consensu et assensu cōuentus sui capitulariter congregat resignauit huiusmodi hospicia edes et ortos Ipsīs incumbē Infradictum burgum Iaceñ In manibus Daudis mar vnus balliuorum dicti burgi In fauorem prepositi balliuorum consulum et cōitatis prefati Burgi de Abirdene pure et simpliciter prouiso tamen quod si contigerit supremam dñam nram reginam restituere reliquis fratribus religiosis eorum loca templa vel edificia q̄ ipsis fratribus minoritis similis restitutio fiet absq, eorum preiudicio aut indignatione regine incurreñ Super quibus dñibus et singulis thomas nicolson balliuus procuratorio nre totius cōitatis dicti burgi a me notario publico subscripto Sibi fieri petiit instrumētum seu instrumēta vnum vel

prompted by God knows what design, destroyed and scattered the churches, hospitals, buildings and yards of the monasteries and holy places of the kingdom, and utterly overthrew the same and levelled them with the ground; and how (as common report has it) certain men of the same persuasion, while the kingdom was bereft of a head through the continued absence of our lady the Queen, were about to overturn and scatter the churches, places, hospitals, buildings and yards of the same Minorite Friars, which intruders, as he asserted, it was impossible to resist: Therefore, with consent and assent of his convent in chapter assembled, he purely and simply resigned the said hospitals, buildings and yards belonging thereto lying within the said burgh, in the hands of David Mar, one of the baillies of the said burgh, in favour of the provost, baillies, councillors and community of the foresaid burgh of Aberdeen: Providing, however, that if it shall come to pass that our sovereign lady the Queen restore to the remanent holy friars their places, churches or buildings, a like restitution shall be made to the said Minorite Friars, without their being prejudiced or incurring the displeasure of the Queen. Upon which, all and sundry, Thomas Nicholson, baillie, as procurator for the whole community of the said burgh, craved from me, notary public subscribing, an instrument or instruments, one or more, to be made

plura Acta erant hec In aula dictorum fratrum minoritarum hora tertia post meridiem sub anno mense die indictione et pontificatu quibus supra presentibus Ibidem gilberto menzes Patricio menzes Patricio malysoun colino porterfeld georgio Lesly Joanne gareaucht Vilhelmo barclay Vilhelmo craufurd hallibrando menzes cum diuersis aliis Testibus ad premissa vocatis pariterq; rogatis

Et ego magister Joannes kennedy clericus diocesis abirdonē sacra autoritate apostolica notarius publicus ac scriba cōis Burgi de Abirdene premissis omnibus et sīnglis sic vt premittitur dicte actis et facte vnacum pñōiate testibus psonaliū interfui Ea q; oīa et singula sic fieri vidi scivi et audiui Ac in notam cepi Ex quibus hoc publicū Instrumētum manu aliena fideliter scriptum exinde confeci signaui et subscripsi In fidem et testimoniū veritatē omniū et singulorū pmissorum rogatus et requisitus

to him. These things were done in the hall of the said Minorite Friars at the third hour after noon, in the year, month, day, indiction and pontificate above stated. Present Gilbert Menzies, Patrick Menzies, Patrick Malysoun, Colin Porterfield, George Leslie, John Gareaucht, William Barclay, William Craufurd, Hallibrand Menzies, with sundry others called and summoned as witnesses to the premises.

And I, master John Kennedy, clerk of the diocese of Aberdeen, by holy apostolic authority notary public and common clerk of the burgh of Aberdeen, together with the above-named witnesses, was personally present at all and sundry the said acts and deeds; and saw, understood, and heard and took note that these things, all and sundry, were done; Whereupon this public instrument, faithfully written by another hand, I have executed, sealed and subscribed, being asked and required in faith and testimony of the truth of all and sundry the premises.

XVI.

*The Chaplains of the Church of Saint Nicholas resign their possessions in
favour of the Burgh. 19th August, 1575.*

The said day maister Johnne Kennedy procurator and gñall collectour to the cheplains of the paroche kirk of abirdene w^t qsent and assent of Sir Johnne collesoune maist^r eduard mengyes Sir James barclay Sir Johnne blak and Sir Wiljeam walcar his breither and cheplains only on lyf of the queyr and college of the said bur^t compeirit in presens of thomas mengyes of petfoddellis prouest of the said bur^t and in p^rsens of the ballies and haill qsell of the samy bur^t and thair ryplie aduysit w^t detfull deliberatioun resiginit and geff our be ane pēny as vse is in the handis of robert mengyes ane of the ballies of the said burght all and haill thair landis fisheingis mailis few mailis and ānuell rentis quhatsūeur ptenyng to thame in patrimonie and propirtie liand wⁱⁿ this bur^t and w^{out} the samyn in favouris of the prouest ballies qsell and comunite of this bur^t thair successouris and assignais quhatsūeur Reseruand alwais the samyn to the saidis cheplains during thair lyftymes Provyding alwais that gif ony of the saidis sex cheplains quhilkis now are lewand happynis to deceis that his p^r and pensioun of the saidis landis fisheingis mailis few mailis and ānuell rētis sall returne and rema^{ne} w^t the saidis prouest ballies qsell and comunite and thair assignais quhatsūeur

The said day the haill toune being lau^lfully warnit to this day and qpeiring personaly in Jugemēt for the maist p^r representād the haill body of the toune It was exponit and declairt oppinly to thame be robert mengyes ane of the ballies of the said bur^t Quhow that the cheplanis of the queyr and college of thair proche kirk of abirdene hes resiginit in his handis in presens of the prouest ballies and haill qsell this p^rsent day all and haill thair landis fischeingis mailis few mailis and ānuell quhatsūeur ptenyng to thame in patrimonie and propirtie liand wⁱⁿ this bur^t and w^{out} the samy in favouris of the prouest ballies qsell and cōmunite of this bur^t thair successouris and assignais quhatsūeur Reseruād alwais the samyn to the saidis cheplains during thair lyftymes Provyding alwais that gif ony of the said sex cheplains quhilkis now ar leifand happynis to deceis that

his p^t and pensioun of the saidis landis fisheingis mailis few mailis and ānuell rētis sall returne and remane w^t the saidis prouest ballies qsell and comunite and thair assignais quhatsueuir The quhilk the saidis cheplains being psonaly p^sent ratefeit and approvit in Judgemēt And the said balzie Inquyrit at thame gif thai uald cōsent and be q^tent to resigne renūce and ourgiff the samy agāne to the support and vphald of sanct Thomas hospitall fundit wⁱn this bur^t besyd thair proche kirk quhill forder supplie and support mycht be maid be thame thair vnto To the quhilkis thai all in ane voce cōsentit and assentit And resignit and renūcit and ourgeff the samyn als frelie as is ptenit to thame in the handis of the said balze to the support of the said hospitall and the pur folkis thair of to be ānexat th^to perpetually in all tym cūing w^t reseruatioun as is aboune wretin

XVII.

Commissioners appointed by the Community perambulate the Outer Marches of the Burgh, without the Freedom Lands. 22nd September, 1578.

The said day the prouest ballies cōsale and cōmunite of this bur^t being cōvenit and assemblit upon the cōmonte and fredome of this bur^t be ane act and ordinance maid thairupoun obefoir to peramble the boundis and limitis th^roff and to the effect that the psonis of the cōsale quhilks war noiāt and chosin of befoir That is to say Gilbert Mengzes eldar Robert Mengzes eldar David Mar Androw Buk Alexander Mengzes eldar Gilbert Gray Johnne Lowson Alexander Cullen Martyn Howesoun and Androw Huntar togidder w^t the remanent psonis that war noiāt and electit be the said cōmunite That is to say Alexander Howesone Alexander Forbes David Andersone maister James Burnet Patrik Mollisoune and Alexander Donaldsone nicht see perambill and cōsider the wrangis done and cōmittit be the saidis heretable fewaris of the townis and landis wⁱn the said fredome and thair tennentis in thair names in ryving out teiling and sawing of cornis upoun the townis cōmontie adiacent to the saidis few landis vsing and occupeing the samy thir dyuerss jeiris bygane sen the setting of the saidis landis heretably in fewferme transgressing th^ry the effect tenour and strynght of thair few chartouris maid to thame

th'upoun and to cognosce and decerne th'intill and to proppe meithe and miche the boundis and limitis of propirte of the saidis townis and landis respectiue Quhilke thai sall vse as propirte in tyme cūing and all wrangis done be thame to reforme without preiudice of the valour and stryntht of thair heretabill ry^t and fewferme maid to thame respectiue th'upoune And all the forsaidis fewaris being psonallie convenit vpoune the ground and cōmontie forsaid thair ry^t'is reasonis allegationis and defensis being proponit considerit and vnderstand and dyuerss and sundrie famus witnessis vnsuspect admittit sworne and diligentlie examinat and eftir dew and detfull deliberatioun visitatioun and consideraⁿun of the ground the forsaidis juges all in ane voce to quhom the saidis psonis was submittit in maner forsaid ffand decernit decretit and delyuerit in maner following

And ferst the saidis visitouris past and begane at the Justice Mylnis and fand that the lonȝ gaitt passand th'fra to the cōmoun pasture on the cōmontie is diminishit and maid narrow and ordanis the samē to be of quātite of the auld passage that the gudis th'off may pas to the fredome of the said bur^t as thai did ofbefoir and that the first miche of the saidis Justice Mylnis begȳnis at the graye stane quhair it is pottit and ingrauit the townis cōmoun m^k viz^t ane sauser and swa callit the sawser stane lyand in the burne betuixt the landis of the Justice Mylnis and the landis of Ferrihill and th'fra passing vp the said burne to ane vthir sauser stane ingrauit as said is liand in the myddis of the burne of the Justice Mylnis foirganis the vptreiking of the gaitt that passis to Petfoddellis ascendand bak vp to the bra to the Justice Mylnis for intakin of the lonȝ gait as the samȳ is presentlie proppit and pottit and th'fra ascendand vp linealie to the merche stane vnder the eird of the medow of Rubislaw and haldand the stane linealie quhill it croce the Burne at the mortar bank vnder the south-wast fauld of the towne of Rubislaw and th'fra linealie up the dyk of the said fauld wastwart quhill it cū to the sauser stane in the ground fourtie elnis or th'by wⁱⁿ the southmest th'of and th'fra to the said southmaist nuik and the

betuixt the lang fauld and the burne southt and northt decernit new nouatioun and to ly ley in all tyme cūing as it is proppit and the dyk to be destroyit and cassin down And th'fra the saidis visitouris past to the towne and landis of Hessilheid begȳnand the first merche th'of at the eist end of the corne land liand at the eist end of

the peit moss of Dikynschaw ascendand vp the said moss to ane gryt crag stane at the heid of the sam̄ on the southt syd th'of passand wast-north-wast or th'by to the Dry Den and th'fra nor^t-wast or th'by as it is carnit quhill it cū to ane gryt sauser stane passand th'fra north-eist or th'by till it cū to the nor^t end of Bachtley besyd the ald stane cott passand th'fra northt-eist or th'by haldand the stane dykis till it cū to the end of Leggis Croft in the burne and passand th'fra northt or th'by haldand the wynter strype that rynnīs be the wast syd of the Nathir Stracht to the heid of the said Nathir Stracht passand eist langwayis the heid th'off till it cū anēt the Wellheidis cōtigue and be waist the peit myris in the Kowslak and all the land that lyis be eist the gryt saser stane and wⁱn the saidis m̄chis to ptene in ppirte to the saidis landis of Hessilheid and the corne land be wast the said saser stane to be new nouatioun and to ly ley and to ly in commonty and siclyk all the landis be eist the said Wynter Strype viz^t the Nethir Stracht and the corne land be eist the said Welheidis to be new nouatioun and to ly ley and remane in commontie And fra the said towne and landis of Hessilheid the saidis commissionaris juges and visitouris past to the towne and landis of Cūtaswallis begynand the first m̄che throff at the burne descendand to the Myln of Petfoddellis and linealie ascendand as the saser staneis ar now maid to the heid of the eistmaist ald corne fald quhair the m̄katt gaitt passis and haldand the heid of the said corne fauld quhill it cū to the strype on the wast syd th'off to the saser stane and haldand th'fra platt wast linealie as the sam̄ is now proppit and carnit to the inland of the Cūtaswellis reseruand the ald faldis in the m̄vir as thai stand and the haill remanēt labourit teilit and manurit land eistwart wastwart and northtwart to remane in commonte in all tyme cūing and the new cott biggingis of the said towne of Cūteswallis decernit ⁊ ordanit be removit and cassin down betuixt this and Witsunday next to cū and ordanis Alex^r Chalm^r fewar of the saidis landis and his tenētis to desist fra forder labouring of the faucht land upon the southmest p^t under the hill and the faucht land on the nor^t syd of the said towne and to ly ley and cōmōty in all tyme cūing and the haill boundis leyis and fauchtis about the ald faldis at the southtwast p^t of the Cūteswellis decernit to ly ley and in cōmontie ppetually in all tyme cūing And thairfra passand to the towne and

landis of Gardyn ptenyng to the said Alex^r Chalm^r the saidis judges and visitouris decernit ⁊ ordanit the smythis houss to be removit and the ȝaird th^roff to be laid waist betuixt this and Witsonday nixt cūis and als ordanis the spott of brunt land on the south syd of the moss of the Gardyne to ly ley in cōmontie and the grene ley betuixt the moss and the towne of Gardyne togidd⁹ w^t the haill grene ley with^t the ald dykis to ly in commontie in all tyme cūming with^t the buittis rewīn out under the faldis on the sou^t syd th^rof to ly waist and als decernis the thre peces of corne land of the towne and landis of Brutherfeild liand narest and cōtigue to the Burne of Breddeacht to ly in cōmontie in all tyme cūing And thairfra the saidis juges and commissionaris being convenit upon the ground of Kȳgyshill to perambill the merchis th^roff requyrit Alexander Chalmer sewar of the samȳ to ryd his merchis and to preif and verifie the samȳ quha being psonalie present ansurit he had no^t his witnessis present bot desyrit ane day to be assignit to him to verifie and preif the samȳ and affixit to him at his awin desyr the sevȳtene day of October nixt to cū to verifie and preiff the samȳ and the said Alex^r betuixt this and the said day to gif ane offer th^rof to the towne And thairfra the saidis commissionaris judges and visitouris past to the towne and landis of Kigiswallis begȳnand the first merche thair^rof at the saser stane besyd the Wellheid quhairout the Den Burne rȳnis and proceidis linealie descendand eist to ane vthir saser stane and th^rfra ascendād linealie nor^t fra the said saser stane to ane vthir mȳche stane at the mȳcat gett and haldand the mȳkat gett eistwart quhil it cū to an vthir eird fast stane in the said gett now saserit and th^rfra ascendand north-wast to ane karne and fra that carne to ane vthir carne and th^rfra keipand the gett plat waist be the gait side to ane vther saser stane at the nuik of the fald and th^rfra haldand the said gett wastwart to ane saser stane in the said gett and ȝit ascendand the hie gait ry^t wast to ane eird stane pottit and saserit at the syd of the ald loune dyk of the Intoune and frathynfur^t haldand waist to ane vther saserit stane at the stane ȝard Dyk quhil ȝard dyk the saidis judges and visitouris decernit ⁊ ordanit to be cassin dovne and laid waist at the feist of Witsonday nixt to cū and als decernis and ordanis the corne landis be nor^t and w^tout the saidis mȳchis to ly in cōmontie and the new houss theikit w^t dowat and the ȝard th^roff decernis to be removit simple ⁊ laid waist at Witsonday nixt

to cū and passand fra the saser stane in the Swiffwrichtis Croft linealie nor^t-wast as the saser staneis lyis quhill it cū to the Welheid quhair it is carnit and th^rfra discendand linealie southt as it is pottit to ane saser stane beside the Ailhouss and thairfra to ane Welheid at the bak of the 3ard of the said Eilhous Croft and th^rfra enterand in the markat gett corsand the said gett southt-waist and the stane dyk to ane vthir eirfast stane now saserit quhill it enter in the moss and all be southt northt and wast the said moss aboun the gait and under the sam^y (except the Caird Hillok) quhill it cū to the Burne of Breddeacht to ly in commontie and decernis the haill biggingis th^rupoun to be removit ⁊ cassin doun and als ordanis the outseyttis biggit on the nor^t syd of the said gett and wast syd of Bogfarlay quhair Gilbert Banerman duellis to be removit and cassin doun betuixt this and Witsonday and to ly ley in commonte in all tyme cūing and als decernis the haill housseis to be fillit And eftir the mething and merching of the said towne and landis of Kyngisvallis the saidis judges ⁊ visitouris past to the towne ⁊ landis of Tullo^t and thair fand new nouatioun of cornis fra the Flokwelheid southt betuixt Tullo^t and Bogfarlay and ordanis the sam^y to ly waist in t^y cūing as commontie and the corne land be northt the said Grene Ley quhairin thair is ane saser stane at the quhillk Welheid thair is ane new maid saser stane and als decernis the Muir betuixt the said Welheid and the Auld Grene and the Ald Grene Ley quhar thair is ane vthir saser stane to ly cōmontie and the corne land be northt the said Grene Ley quhairin thair is ane saser stane to ly in cōmonte in all tyme cūing and th^rfra the haill landis beneth that den to the heid of the Blak Burne to ly in comontye except four buittis at the wast p^r of the Tullo^t upon the Blak Burne ege fornēt K^ymūdeis and th^rfra beg^ynand at the nor^t syd of the Wayne Furd quhair thair is nyn buittis of corne land pten^yg to the fewaris of the said towne of Tullo^t in propirte as thai ar pottit and the haill remanēt to be and remane as cōmontie and th^rfra keipand the ald corne fald dykis quhill it cū to the ruiff quhair the saser stane is maid in the syd of the said ruiff And the saidis juges and visitouris passād fra the said toun and landis of Tullo^t and being assemblit vpon the townis and landis of Bogfarlaye ffyndis and decernis the haill corne land at the wast p^r of the Cloghill except fyve buittis in the resk and twa faldis callit the Pluverane Ley at the south syd of the said hill new nouatioun and

ordainis the samē to ly ley as cōmonty in tyme cūing and siclyk the new stibill land w'out the laicht brig to be new nouatioun and the haill new land w'out the new maid saserit stane w'out the fald dykis of the Cloghill at the northt wast p^t of the Cloghill to ly ley and in cōmontie to ane vther saser stane w'out the Slak and th'fra our the straitht to the fald nuik to ane gryt stane quhairin is ingrauit ane saser at the heid of the Ra Den Fald and fra the said stane haldand eist the fald dyk quhill it cū to the ley at the eist nuik thairoff and th'fra corsand the said ley to ane new maid saser stane at the heid of the samy and als fyndis the haill landis of the Cloghill to be new nouatioun except ane ald fald upon the heid throff as the said fald is merchit and pottit w^t saser staneis and fra the said stane at the heid of the said four riggis of ley haldand the ald fald dykis nor^t-eist quhill it cū to the saser stane at the wast nuik of the Mure Fald of the Intoun of Cloghill and th'fra ascendand northt linealie keipand the heid of the faldis to the new maid saser stane and litill pece w'in the heid of the ley and th'fra descendand linealie eist to the saser stane at the nuik of the litill fald and th'fra descendand linealie quhill it enter in the moss and all the rest beneth the corne land w'out the Welheidis on the eist syd betuixt that and Schedokisley to ly in comontie except the Law Bog And fra the said toun and landis of Bogfarlay the saidis judges ⁊ visitouris past directlie to the toun ⁊ landis of Schedokisley begynand the mⁱchis of ppirte throff at the saser stane in the nor^t p^t of the Bogfald and besyd the Caldwell passand th'fra linealie wast as the samy is pottit to ane uth^r eirdfast stane saserit and fra that to ane uth^r saser stane at the wast end of the moss and th'fra southt as it is saserit And thairfra the saidis juges and visitouris past to the towne and landis of Frosterhill and thair decernit ⁊ ordanit the wastmest hous w^t the jard throff to be removit betuixt this and Witsonday nixt cūis and the west corne riggis to ly commontie in tyme cūing and decernit the fald betuixt it and Caprastoun new nouatioun and to ly ley and commontie in tyme cūing and the pece faucht land w'out the faldis at the eist syd of the gait to ly in commontie and the haill w'out the Dene Fald to the likarstane to ly commontie quhill it cū to Cabrastoun and als fyndis new nouatioun maid be the fewaris ⁊ tennētis of the Cruvis on the hill syd at the sou^t-eist syd of the Cruvis

of the Grene Welheidis and the haill corne land betuixt the Cruvis and the Cottounne fyndis new nouatioun

And the haill fornarnit townis ⁊ landis being proppit methit and merchit in the boundis ⁊ limitis of propirte in maner ⁊ way as is aboun rehersit the saidis juges visitouris ⁊ commissioneris for the reformatioun of the wrangis committit w'in this bur' and at dyuerss partis of the gaittis and commoun passageis passand and cūand th'fra past and begane at the Bowbrig quhair thair is ane new biggit barne ptenyng to Andrew Gothray quhairof thair is four fut of the lyntht takin in and fyve fut of the jard quhillk the saidis juges and visitouris ordanis ⁊ decernis to be demoliscit and ane free passage to be betuixt the said barne and the Den Burne in all tyme cūing as it is pottit ⁊ merchit and als decernis the litill houss vpon the gavill of James Kayis houss to be cassin down and the said James stair to be biggit on himselff and als inhibitis Andrew Gothray to big ony stair or galry vpon the eist gavill of his new biggit houss decernis alsua the litill houss of Jonat Chene biggit on the kȳgis hie gett to be cassin down and siclyk ordanis the houss of Johnne Kay p'sentlie begun to big contigue adjacent to the said Den Burne to be demolescit and ane free passage to be th'fra quhill it cū to ane saser stane quhillk devydis the Blak Freiris Croft fra the jard of George Watsoun and ane passage of four fut to be betuixt the said croft and the said jard and thairfra passand linealie northt to ane uthir saser stane and decernit the haill breis betuixt the Dukat and the Corbie Well on the wast syd of the said Den Burne to remane in commontie as it did befoir and passand fra the last saser stane to the northt-west nuik of the dyik of the said Blak Freris Croft Begynand at the southt-eist nuik of Martyne Howeson Croft quhill it cū to the pottit merche and th'fra to ane new saser stane and frathyn as it is pottit directlie northt to ane vther eirdfast stane now saserit and th'fra direct wast as it is pottit linealie quhill it cū to the Cragwell Croft ptenyng to Mr Gilbert Bisset and th'fra linealie wast to the stane dyk on the-sou' syd of the gait that passis to Rubislaw quhill it cū to ane saser stane on the southt syd of the said gett And thairfra the saidis juges ⁊ visitouris past to the croft callit Hardweird ptenyng to Alexr Cullen begynand at ane new maid saser stane on the wast syd of the dyk of the said croft as it is pottit quhill it cū to ane vther saserit stane and th'fra to ane slottit stane and frathyn to ane pottit mche and fra the said pottit mche linealie eist keipand the

heicht of the bra as it is pottit to ane gryt stane new saserit and fra that the saidis visitouris past to the Blak Freris Yard passand linealie to ane saser stane at the Cluiss Heid on the wast syd of the said burne and thair viseand Androw Rais bark pottis ordanit the samy to be fillit w^t eirht wⁱⁿ fourtie dayis eftir the dait heiroy and siclyk decernit ⁊ ordanit the bak dyk of Alex^r Anderson litster to be cassin doun and biggit equiualent w^t the rest of the bak dykis on the wast syd of the Gallowgett and siclyk decernis ⁊ ordanis Hedonishill on the eist syd of the said Gallowgett w^{out} the Gallowgett Port to ly grene ley and in commontie in all tyme cūing as it is methit proppit ⁊ pottit fra the nuik of Neillie Powis yard ⁊ land and ordanis ane passage fra the said port round about the hill of four space and the litill hillok on the eist end of Thomas Philppis barne to remane in all tyme cuming ane grene hillok onlabourit fre about as the samē is pottit ⁊ methit decernis alsua the gaitt passand fra the Cruvis behynd the said burght vpon the nor^t syd th^{off} quhill it cū to the Theiffis Port to be tuelff fut of breid at narrowest p^t of the said gett and swa to stand ppetually in all tyme cūing and decernis the croft ptenyng to Dūcan Donaldson liand on the northt syd of the Butefield behynd the Gray Freiris to be ⁊ remane wⁱⁿ the boundis and methis begynand at the north-wast nuik passand linealie eist as it is pottit methit ⁊ merchit and alsua ordanis the haill pprietaryis of the Cuttingis behynd the Gray Freris fra Johnne Lowsoun rig quhill it cū to the buittis behynd the towne to be warnit to pduce thair ald Infestmētis betuixt this ⁊ m^otimes nixt to cū and siclyk ordanis Alex^r Cullen to exhibit his titill of the pece ground ⁊ land behynd the eistmest buitt betuixt this ⁊ m^otimes nixt and the said Alex^r croft on the northt syd of the said burght to be labourit ⁊ occupeit wⁱⁿ the boundis proppis and methis proppit and pottit be the saidis judges and visitouris and thairfra the saidis judges and visitouris past to the Castelhill begynand at the northt syd th^{off} and decernit the litill houss sett out be ādrow Jak liand nixt the said Castelhill to be dimoliscit and als fyndis that the said Androw hes done wrang in the bigging of his gavill of the wast houss five fut in vpon the Castelhill and in likwayis in bigging of the barne and kyll besyd the samy vpon the boundis of the Castelhill and decernis ⁊ ordanis the said Androw Jak to big his jard four fout within the traveis of tȳmer as it standis quhilk traveis thai ordanit to be dimolis-

chit and the said dyk to be biggit wⁱⁿ the samen four fout as said is and decernis and ordanis the Myddingis betuixt the buittis upon the northt syd of the Castelhill to be removit within tuētie dayis under the pane of fourtie s to be uptakin and liftit of the unlaw of euerie mydding in case the samyn be no^t removit as said is and escheting of the fuljie the said xx. dayis being bypast and siclyk decernis and ordanis the croft callit the Sow Croft ptenyng to Johnne Donaldson to be labourit and manurit wⁱⁿ the boundis as it is p^{re}sentlie proppit pottit and merchit and the hie gett passand direct eist to the Lynkis betuixt the croft of the said Johnne Donaldson and the croft of the cōstabill of Abirdene quhill it cū to Futteis Myre to be fyftene futtis of breid in all prtis in all tyme cūing and decernis the 3ard biggit be Willia Ronaldson fra the northt cūjie of his houss to be dimolischit linealie as it is pottit and decernis ⁊ ordanis the cuttingis be eist of the towne of Futtie to remane ley and linkis as thai ar pottit ordanis Sanct Clementis Kirk Yard to remane ley in all tym cūing as it is pottit ⁊ merchit decernis Garwakis Wynd to be tuelff fut breid and tuelff space at the eist end th^off in all tȳ cūing and fand decernit ⁊ declarit that the haill groundis of the landis aboun wretin quhairupoun the cornis war sawin of new nouatioun upon the places ⁊ boundis aboun wretin w^out the boundis of propirte afoir limitat to pteine to this burght communitie ⁊ comonte th^off as Justlie ptenyng to thame to ly ley onlabourit as cōmontie in all tyme cūing and ordanis thame to desist ⁊ ceis fra all forder occupatioun of the samȳ in all tȳ cūing and that the Merches aboun wretin of the townis ⁊ landis aboun specefeit aucht to stand as ppetuall Mēches of ppirte in all tyme cūing

Quhillk declaratour decreit and ordinance the prouest ballies ⁊ cōsale aboun wretin acceptit ratefeit approvit cōfermit and pñcīt thair decreit and sentence cōforme th^oto fyndand the haill ground and landis of new nouatioun forsaid maid be the saidis heretable fewaris thair tennētis in thair names upon the townes commontie adiaacent contigue to thair saidis landis at the placeis and ptis afoir specefeit w^out the methis ⁊ merchis of propirte befoir limitat to ptene justlie to this burght commontie and communitie th^off and to ly ley onlabourit in all tyme cūing ⁊ that the methis and mēchis of propirte respectiue aboun specefeit sall stand as ppetuall merchis of ppirte in all tyme cūing

XVIII.

Commissioners nominated by the burghesses and by the craftsmen of the burgh define the privileges of these bodies. 7th July, 1587.

At Abirdene the sewint day of Julii the 3eir of god Mv^c fourscoir and sewin 3eiris WE ALEXANDER CULLAN Daudid Mengzes bailleis of the bur^t of abirdene and alex^r forbes burges of the said bur^t cōmissionaris electit and nōiat be the prouest bailleis counsaill bretherene of gild of the said burght on the ane p^t and george elphinstone deacon convenar alex^r ronaldsone baxter Johun tailjo^r cōmissionar chosin electit and nōiat be the haill craftismen fremen of the said bur^t on the vther part AND M^r alex^r chene persoun of snaw and comiss^r of a^bd odmā and o^rmā equalle chosin be the saidis cōmissionaris anent the decisioun of the q^trauersie efter s^peit betuixt the saidis cōmissionaris for the saidis p^teis THAT is to say fforsamekill as the saidis cōmissionaris haueand sufficient power of bay^t the parteis foirsaidis ar finalle appointit and aggreit vpone all and sindrye the headis efter following And first to tak away all difference q^lk hidderto resultit vpoun the admissioun of fremen of craft and for the estabilissing of ane perpetuall ordo^r thairanēt WE ORDANE and declairis all personis willing to be maid fre and incorpora^t to the fraⁿite of ony craft That thay sall first present thame selff to the prouest bailleis and counsaill to be maid fre burges^s of the said burght and gif thai meayne to leif be th^r said craft the saidis prouest bailleis and counsaill and deane of gild befoir ony forder proceeding sall remit the in^trant be thair testimoniall to the deacone and maisteris of craft profess^t be the said In^trant to be examinat be thame And being examinat and no^t fund qualefeit salbe repellit baith fra the suit of burgess ship and fremanship of the craft foirsaid bot be the contrar gif thai be fund qualefeit be the said deacone and fremen of the said craft reportand to the prouest bailleis and q^saill and deane of gild ane sufficient testimoniall vpoun thair conscience of the in^trantis qualefica^un and habilitē Than and in tha^t caice they salbe admittit aggreand for the freedome of the burgeship according to the antient vse and laudable consuetud of the said burght PROUYDING that this claus viz secundum libertatem sue artis or sicklyk word^e signifeand oderis restrictionis be no^t insert in thair testimoniall bot

that the same be dne admissus in burgensem tātummodo And thairefter no^t w^t standing of the qlk admissioun the said interant sall no^t haue place to work nor excerceis his craft vnto the tyme he report his testimoniall of the saidis prouest bailleis and deane of gild vnder the subscription of the toun clark that he is admittit to be burges and pressent the same to the deacone and maisteris of that craft quha thairefter sal compone w^t the intrant for the fredome and fre licence to excerceis the craft And be ressonne sum doutis resultis anēt the saidis cōmissionaris concerning the composition of intrant It is finalle agreit be the saidis cōmissionairis and decernit be thame that the saidis compositionis and Bankatis be maid efter the auld vse and custume and no^t efter the will of the intrant Bot BECAUS consideratioun aucht to be haid dyuerslie efter the estait and conditionis of dyueris psones suitaris of the fredome To wit gif the intrant be the eldest sone of ane free burges or jit the eldest sone of ane fre craftisman that hes passit thair prentischip wⁱⁿ the said burght of Abd he salbe fre w^t the craft for the bancat onlie bot the rest of mchandis sones or fre craftismenis sones that hes passit th^r prentischip within the said burght of abirdene sall pay fourte s o^rhead w^t the bancat as obefoir allanerlie AND ALL PRENTESIS learning wⁱⁿ the said toun and jit being ane forane or borne out of the said toun as also thai that ar no^t freemenis sones suppois thai be borne wⁱⁿ the toun sall pay ten markis o^rhead w^t the bancat for thair fredomes to the deacone and bretherene of thair craft Sicklyk outlandis craftismen that ar nocht borne burgess sones or fremenis sones of the said bur^t nather hes past prenteis wⁱⁿ the same bot hes learnit thair craft in ony vther place nor wⁱⁿ the toun They sall pay to the deacone and maisteris of thair craft for thair fredome at the least tuentie markis money foirsaid w^t the bancat as saidis And decernis the composition of the money foirsaid for the fredome as is aboue expreamt to be delyuerit and payit to the deacone of the craft he to be ansurabill for the twa p^t of the same to the dean of gild and to delyuer the same to him for to be waired and bestowit vpoun the aid support and help of the cōmoun charges of the toun accordyng to the directionis to be given to the prouest baillies and counsaill of the said burght to him thairanent And the third pt of the saidis cōposissionis with the bankatis foirsaid to be distributit and bestowit

at the plesor of the deaconis of the craftis and thair bretherene foirsaid fremen of the said craftis And sicklyk the twa pairt of the compositionis of the entres of euerie prenteis qlk is the soume of tuente s the twa pt thairof to be delyuerit to the dean of gild and the third pt to the deacones and maisteris of craftis to be vsit in maner and to the effect aboue exprimit SECUNDLIE we the saidis comissionaris for bayt the pteis hinc inde decernis and ordanis that the saidis craftismen sall no^t meddle u^t na kynd of forane nor oursie wairis bot to haue thair skair of timber conforme to vse and vont and of salt samekill to serue thair hous all anerlie AND as concerning the bearing of offices of magistratis sic as to be prouest bailleis deanis of gild and thesaurar WE DECERNE that na craftisman sall aspyr tharto vnto the tyme that thay be premotit to be bretherē of gild but preiudice allwayis that it sall be lissum to the saidis craftismen to chuis sax personis of thair awin number ȝeirlie to be vpoun lytis of quhom the counsall sall cheis twa thairof ȝeirlie quha sall haue place w^t the rest of the ordinar auditorē to heir and see all and sindrie the townis comptis bayt of properte and casualiteis THIRDLIE in respect that gryt contrauerseis hes bein at all tymes betuixt the saidis parteis concerning the vsing of the trafique and exerceis of all kynd of m̃chandreice in generall or in speciall permissabill or notht permissabill to the craftismen quhairanent we the said cōmissionarē for the prouest bailleis and bretherene of gild willing all matteris debaitabill to be satlit and put to rest ar content to grant the saidis craftismen lyk as be the tennor herof grantes to thame the fre vse and traffique of barking of ledder lying of buttir victuall cheis scheip and nolt lyme collis carsayes plaiding raw clayt hiland grayis mantling and linning claithe and to sell and top the same in all partis within the realme of Scotland als frely as merchandis bretherene of gild dois AND forder permittis to thame the traffiquin of littil clayt qlk is maid wⁱⁿ thair awin hous allanerlie and na vtherwayis Off the quhilkis speciallis grantit in maner foirsaid the saidis craftismen not being contentit in respect the same wes no^t sufficient recompanis as thai allegit to thame for thair refusall of all kynd of oursie and forane m̃chandreice Lyk as be the tennor of thir p̃ntis us the cōmissionaris for the saidis craftismen refus the same w^t dyueris vtheris preuilegeis grantit to us and the remanent craftismen be oure

souerane Lord^e dispositioun vnder his maiestis grypt seill so that us and the saidis craftismen and our successor^e micht Juioiss frie liberteis to trafique onlie w^t all kynd of scottis wairis but stop or impediment to be maid to us be the saidis prouest bailleis and brether of gild in tymes cūing and forder contentioun appeiring for to esuew to the Inquietnes of the cōmoun wealth of the said burgh: The prouest bailleis counsaill and brether of gild being movit w^t natural pitie to put the saidis craftismen being memberis of thair awin cōmounwealthe fra forder trubill on the ane part and the saidis craftismen as nichtbor^e willing with detfull reuerens to obey thair saidis Magistratis war content on the vther part to refer the samye to us commissionaris hinc inde re^xue foirsaidis with powar to ws in caice of discord to chuis ane o^rmane to decerne [thairanent as] be sall think guid And efter ressoning maid hinc inde thair vpone we the saidis cōmissionaris haueing powar and cōmand of baith the saidis pteis in maner foirsaid hes referit lyk as be the tennor of thir pntis referris the decisioun of the said qtrauersie formit efter followis to M^r alex^r chene persone of snaw and cōmissar of abirdene according to the tennor of the designatioun within wretin viz quhidder gif besyd the former thingis aggreit and grantit to the saidis craftismen &c The Counsaill and bretherene of gild sall grant the libertie of all scottis wairis be nōiation of sum speciallis and excluding the craftismen from the rest or gif thai sall grant to the saidis craftismen the libertie of all scottis wairis in gñall reserwand certaine speciallis to thame selffis AND I THE said M^r alex^r chene efter the acceptatioun off the samyne haueing hard and considerit the ressonis and allegationis maid be the said cōmissionaris hinc inde for bay^t the pteis foirsaid The name of the Lord callit to quhom I man be ansurabill this day and the day of iugement FINDIS that fforsamekill as the merchandis and bretherene of gild hes the prerogatiue and dignite far aboue the saidis craftismen in sic sort as thay haue powar to call and accuse and caus thame be quictit and correctit for the transgressioun of all and sindre the pointis of euery thing ather grantit or notht grantit to thame quhairbe the contrar the saidis craftismen hes notht the lyk powar at all to call accuis or persew thè saidis m^rchandis bretherene of gild for bying selling or topping ather of oursie and forane wairis or jit of scottis wairis guidis or geir considering

that all kynd of merchandrice quhatsumeuir is fre to the said bretherene of gild without questioun or contrauersie Bot namly becaus the saidis craftismen hes consentit and aggreit to gif and delyuer the twa part of all the compositionis as is afoir exprimit maid and givin to thame for the admissioun of all fremen and ressaueing of all prenteisis to thair craftis reñue fairsaid to the dean of gild for to be bestowit be him vpoun the cōmoun charges of the toun as is aboue rehersit quhairbe the qtrar the saidis craftismen nicht haue imployit the samyne to thair awin pticular vois as thai had vont to do in tyme past AND thairfoir I the said M^r alex^r chene w^t consent and assent of the saidis cōmissionaris electit and chosin for bayth the saidis parteis PRōUNCIS and decernis that the counsaill sall grant lyk as be the tennor herof grantis to the saidis craftismen and thair successorē the gñall libertie of all scottis wairis by and atto^r the thingis grātīt to thame as saidis to by and sell the same vniuersallie wⁱⁿ the realme of scotland as thay sall think expedient reseruand speciallis to the saidis bretherene of gild thame selffis and speciale the heidis wairis and forme thairōf as efter followis secludand the saidis craftismen and thair fairsaidis thairfra foreuir viz that it sall no^t be lisum to ony of the saidis craftismen or thair fairsaidis to haue the handling of ony steppill guidis stappell guidis [*sic*] quhidder the same be scottis or forane wairis Bot that the onlie vse of handling of the samyne That is to say packing and peilling of fische hyddis skin and woll sall properte apertein vnto the mchandis bretherene of gild allanerlie but preiudice allwayis to the saidē craftismen that thai be notht stoppit to by and sell the said wairis in smallis in ony part within the realme as saidis And the saidis craftismen in speciall to by sell and top samekill woll as thay sall caus be wrocht reñue in thair housē AND sicklyk reseruis to the saidē bretherene of gild to haue the onlie powar to transport scottis wairis in schippis boitis other be see or be land in forane cuntreis thairto trafique thairw^t And the saidis craftismen not to haue power to do the samyne nather directlie nor Indirectlie PROUYDING allwayis that it preiuge notht the saidis craftismen and thair fairsaidis to trafique by sell and top all maner of scottis wairis in gñall (except as is befoir exceptit) wⁱⁿ the realme of scotland and thai newer to be callit accusit nor cōmitit for the samyne bot to be frie thairto as saidis And but preiudice

of the liberte and preuilege of leddir barcaris in bying of sich hyddis in all partis within the realme and barking and selling of the samē as saidis and preuilege of couparis according to auld vse and vonnt PROVIDING ALSO that gif it sall chance the saidis craftismen and thair successorē to be teachtit and learnit in making of uolnes seatingis silkis taffeteis or ony kynd of stuf that hes notht bein maid of auld wⁱⁿ the realme of scotland bot of lait throw the incūing of strangaris wⁱⁿ the cuntrie That it sall notht be lisum to the craftismen to sell the samyne except it be thair awin handie wark and that in haill peices dispensand alwayis w^t thame to sell and top in small or gryt thair said handie wark of seyis worseit^r liningis and singill sergis but stop or impediment And anent the transgressioun of the saidis pointis or ony of thame befor rehersit gif it sall happin ony of the saidis craftismen and thair foirsaidis in tymes cūing to be callit and accusit for the transgressioun of the headis and pointis afor inhibeit to thame as is aboue exprimit thay being quict thairfoir to be vnlayit according to the antient lawes of the said burght PROVIDING allwayis that it sall notht be lisum to qdeme the allegit qtrauenar vpone ane bair suspitioun in ony sort bot be sufficient tryall maid and hed be witness onsuspect and ondefamit ather m^{ch}and or craftisman purgeing thame selffis be thair corporall ay^t of partiall counsaill And finallie it is ordainit that bathe the saidis pteis merchandis and craftismen present and to cum inuolabilly obserue fulfill and keip this present appointment and decreit of euerie head claus & artikill thairin continit Lykas we the saidis cōmissionaris and ourmen foirsaidis ordanis thame to do the samē and the pratique and executioun thairof to be and begin the day and dait of thir pntis and to continew as ane perpetuall law in all tyme cūing AND for the better obseruing keiping and fullfilling of the premiss we the saidis cōmissionaris and ouermā ar content and consentis that the designatioun wrettin on the vther syd thairof and this present decreit be insert in the buikis of counsaill off abirdene as also in the cōmisseris buikis of abirdene alsweill ad perpetuā rei memoriam as also to have the strynthe of ane confessit act and Judicall decreit wth executoriallis of poinding and horning the ane but preiudice of the vther to pas thairto vpone ane chingill chairg of four dayis warning And forder ordanis that the p^rores and

mandatis givin to the saidis cōmissionaris be reġrat in the saidis cōmisser^e buikis in lyk maner ad perpetuā rei memoriā and gif neid beis consentis that ane act of pliamēt salbe procurit for ratificatioun and approba^un of this pūt appointment and decreit for to stand as ane perpetuall law betuixt the parteis foirsaidis and thair successor^e reṡue for euer And to that effect constitutis and ordanis discreit men &c. and ilkane of thame q̄iunctly and seueralie our lawfull and ondouttit prōr To compeir for us and in o^r names befoir the said cōmisser prouest bailleis foirsaid as also in p̄ns of the Lordis of pliamēt to the effect foirsaid promitten de rato &c. IN WITNESS of the quhilk the saidis cōmissionaris and omā in signe and takin and fortifica^un of our decreit and appointment foirsaid hes subscruit the same as efter followis day ȝeir and place foirsaid Befoir thir witness Maisteris george barclay richart Irwing gilbert bissat Johne kennedy robert paip thomas mollysone James dauidsone and James ogstone notis publict Sic subscribitur alex^r Cullan cōmissionar w^t my hand dauid mengȝes cōmissionar w^t my hand alex^r forbes w^t my hand george elphinstone saidlar Johne duncane tailȝor and alex^r ronaldsone baxsteris w^t our handis at the pen led be the notaris vnder wretin at o^r cōmādis becaus we cā noth wret ourselfis Ita est maġr robertus paip notarius publicus ac testis in premiss de mādatis dictorū alexandri ronaldsone georgii elphinstone et Joānis duncā scribere nescieñ ut asseruerunt ad hec manu sua rogatus et requisitus per dictos cōmissarios Ita est alex^r donaldsoun conotarius in premiss rogatus et requisitus per dictos cōmissionarios ad hec manu propria Master alexander chene cōmiss^r of abirdene w^t my hand.

XIX.

Omnibus hanc cartam visuris vel audituris Magister Alexander hay Clericus Senatus et Consilii S. D. N. Regis ac hereditarius proprietarius

XIX.

Mr. Alexander Hay mortifies to the provost, baillies, etc., feuduties amounting to £27 8s. 8d. Scots for the upkeep of the Bridge of Don. 1st February, 1605.

To all who shall see or hear this charter, Master Alexander Hay, Clerk to the Parliament and Council of our sacred lord the king, and heritable proprietor

omnium terrarum feudifirmarum et annuorum reddituum olim ad Capellanos seu vicarios chori ecclesie Cathedralis Abirdoneñ spectan̄ eternam in domino Salutem. Noueritis me Pro zelo motum in honorem dei Omnipotentis et vt sustineatur policia huius regni in hac parte, Et quia annales testantur pontem lapideum super aquam de Done Prope burgum de Abirdene Constr̄ctum fuisse ex mandato et impensis Quondam Invictissimi principis Roberti Brucii scotie Regni optime memorie Regis qui partim Iniuria temporis partim quod Nulli annui proventus suppetant vnde sustineatur ad interitum perducī videtur, Et quia plurimum Interest toti boreali parti Prefati regni presertim Ciuibz dicti burgi Ne antiquū illud Monumentum corruat Et ex aliis causis rationi consonis animum meum ad hoc moueñ Itaq; donasse concessisse alienasse et hac pñti carta mea confirmasse Tenoreq; pñtium donare concedere alienare et hac pñti carta mea Confirmare Preposito balliuis consulibus et Communitati dicti burgi de Abirdene et eorum successoribus Totas et integras firmas feudifirmarias et annuos redditus meos subscriptos annuatim leuañ et precipieñ ad

of all the lands, feuduties, and annual rents formerly belonging to the chaplains or vicars of the choir of the cathedral church of Aberdeen, eternal greeting in the Lord. Know ye that I, moved by zeal for the honour of Almighty God, and for the maintenance of polecy* in this part of the kingdom, and because history testifies that the stone bridge over the water of Don, near the burgh of Aberdeen, was built by command, and at the expense of, the deceased most invincible prince, Robert Bruce, king of the kingdom of Scotland, of most excellent memory, which bridge, partly by the injury of time, partly because there exists no annual provision for its maintenance, seems to be falling into decay; and because it greatly concerns the whole north part of the foresaid kingdom, especially the citizens of the said burgh, that that ancient monument should not come to ruin; and for other reasonable causes moving my mind hereto: Therefore, I have given, granted, alienated, and by this my present charter confirmed, and by the tenor of these presents do give, grant, alienate, and by this my present charter confirm, to the provost, baillies, councillors, and community, of the said burgh of Aberdeen, and to their successors, All and whole my feuduties and annual rents underwritten, annually leviabie and receivable at

* See p. 56.

terminos consuetos de terris et croftis subscripti Viz Annuam firmam feudifirmariam quatuordecem librarum vsualis monete Regni scotie de croftis subscriptis debitam olim M̃gro Roberto Lumisden de clova^t incumbēi et nunc ad alexandrum culei burgei de Ab̃d hereditarie spectāi Iacei infra territorium croftarum burgi de Abirdene viz vna crofta vocat̃ adiepingill Iacei inter croftam quondam Alexandri gray ex australi Croftam quondam Iohannis cheyne ex boreali communem viam regiam ex orientali et Lie cruiket myir ex occidentali partibus Ac alia crofta terre nuncupat̃ lie Langrig inter croftam quondam andree Brabner postea Alexandri Mollisoun et nunc Alexandri Kempt ex australi Croftam olim fratribus predictoribus incumbēi ex boreali Communem viam regiam ex orientali et dictum lie cruiket Myre ex occidentali partibus, Et alia crofta Iacei prope domum leprosorū inter croftam quondam Mariote Vmphray nunc ad collegium regale de abirdene spectāi ex australi croftam quondam Iohannis Wear ex boreali Communem viam regiam ex orientali et lie calsey myir ex occidentali partibus, Ac alia crofta prope lie spittel hill inter croftam dicti quondam Iohannis Wear ex

the usual terms from the lands and crofts underwritten, viz. :—An annual feuduty of fourteen pounds usual money of the kingdom of Scotland, due from the crofts underwritten, belonging formerly to Master Robert Lumsden of Clova, and now heritably pertaining to Alexander Cullen, burgess of Aberdeen, lying within the territory of the crofts of the Burgh of Aberdeen, viz. :—One croft, called Adiepingill, lying between the croft of umquhile Alexander Gray on the south, the croft of umquhile John Cheyne on the north, the king's common-way on the east, and the Cruikit mire on the west parts; and another croft of land, called the Lang rig, between the croft of umquhile Andrew Brabner, afterwards of Alexander Mollisoun, and now of Alexander Kempt, on the south, the croft formerly belonging to the preaching friars on the north, the king's common-way on the east, and the said Crooked mire on the west parts; and another croft, lying near the lepers' house, between the croft of umquhile Mariota Umphray, now belonging to the King's College of Aberdeen, on the south, the croft of umquhile John Wear on the north, the King's common-way on the east, and the Calsey mire on the west parts; and another croft, near the Spital hill, between the croft of the said umquhile John Wear on the

australi lie spittel hill ex boreali Communem viam regiam ex boreali [sic] et lie calsey myir ex occidentali partibus, Ac alia crofta vocat fill the cop per quondam M̃grum adamum gordoun fundat Iaceñ prope lie theiffis briggis inter croftam dauidis Mar ex australi et orientali partibus Croftam olim dictis fratribus predicatoribus pertineñ ex boreali et cõem viam regiam ex occidentali partibus Item aliam firmam feudifirmariam nouem librarum monete predict̃ de terris quondam m̃gri Alex^{ri} galloway rectoris de Kinkell vocat Crynis Wallis nunc thome quhyt naute burgeñ dicti burgi incumbenñ Iaceñ in territorio de futtie infra libertatem dicti burgi inter terras dauidis andersoun ex boreali terras vocat thrie lang riggis ex australi fluxum Maris ex occideñ [sic] et terras quondam Iohannis Mar ex occideñ partibus, Et de dictis terris vocat thrie lang riggis Iaceñ ex australi parte de lie auldwallis inter terras dicti dauidis andersoun et terras Andree Murray ex australi terras vocat Sandilandis et terras Iohannis Mar ex boreali terras communitatis de Abirdene lie linkis appelañ, ex orieñ et terris dicti andree Murray ex occideñ partibus, Et de dictis terris vocat Sandilandis Iaceñ inter dictas terras vocat thrie

south, the Spittell hill on the north, the King's common high way on the north (east ?), and the Calsey mire on the west parts; and another croft, called fill the Cop, built upon by umquhile Master Adam Gordon, lying near the thieves' bridge, between the croft of David Mar on the south and east parts, the croft formerly pertaining to the said preaching friars on the north, and the King's common-way on the west parts: Also another feuduty of nine pounds money aforesaid from the lands of umquhile Master Alexander Galloway, rector of Kinkell, called Crynis Walls, now belonging to Thomas White, mariner burgess of the said burgh, lying in the territory of Futtie, within the freedom of the said burgh, between the lands of David Anderson on the north, the lands called Three lang rigs on the south, the Sea on the west (east ?), and the lands of umquhile John Mar on the west parts; and from the said lands, called Three lang rigs, lying on the south side of the old walls, between the lands of the said David Anderson and the lands of Andrew Murray on the south, the lands called Sandilands and the lands of John Mar on the north, the lands of the Community of Aberdeen called the links on the east, and the lands of the said Andrew Murray on the west parts; and from the said lands, called the Sandilands, lying between the said lands,

lang riggis ex australi terras andree murray ex boreali terras Lie Linkis nuncupať ex orieñ et terras dicti Iohannis Mar ex occideñ partibus, Et de terris nuncupať Lie cuttingis de futties myre Iaceñ inter terras dicti Alexandri Cullen ex australi futties myir ex boreali dictas terras vocať lie linkis ex orieñ et terras quondam Willelmi fuddes ex occidentali partibus, Ac de terris dicti quondam M̃gri Alexⁿ Iaceñ inter viam publicam vocat boulget ex boreali Aqueductum discendeñ a lie futties myir ex australi terras quondam domini de Barnis ex occideñ et futties myir ex orieñ, Ac de tribus peciis terrarum vocať lie Cuttingis Iaceñ inter aqueductum predicť ex boreali terras fratrum domus sancte trinitatis de Abđ ex australi terras dicti Willelmi fuddes ex orieñ et fluxum Marinum ex occideñ partibus nunc dicto thome quhyt naute in feudifirma pertineñ Item vnum annum redditum triginta trium solidorum et quatuor denariorum mōe predicť de crofta terre olim quondam Willelmi Kyntor burgeñ dicti burgi et nunc Iohanni donaldsoun burgeñ eiusdem pertineñ Iaceñ prope lie gallowgait poirt dicti burgi vocat calsey croft als ly lang riggis inter croftam

called Three lang rigs, on the south, the lands of Andrew Murray on the north, the lands called the links on the east, and the lands of the said John Mar on the west parts; and from the lands called the Cuttings of Futties mire, lying between the lands of the said Alexander Cullen on the south, Futties mire on the north, the said lands called the links on the east, and the lands of umquhile William Fuddes on the west parts; and from the lands of the said umquhile Master Alexander, lying between the public way, called the Boulgate, on the north, the aqueduct descending from Futties mire on the south, the lands of umquhile laird of Barnes on the west, and Futties mire on the east; and from three pieces of lands, called the Cuttings, lying between the foresaid aqueduct on the north, the lands of the brethren of the house of the Holy Trinity of Aberdeen on the south, the lands of the said William Fuddes on the east, and the Sea on the west parts, now pertaining to the said Thomas White, mariner, in feufarm: Also an annual rent of thirty three shillings and four pence, money aforesaid, from the croft of land, formerly pertaining to umquhile William Kintor, burgess of the said burgh, and now to John Donaldson, burgess thereof, lying near the Gallowgate port of the said burgh, called Calsey croft, otherwise the Lang riggs, between the croft of the Chaplains of the College of Aberdeen on the

Capellanorum collegii Abirdoneñ ex australi Croftam quondam Willelmi edie ex boreali Cõem viam regiam ex orieñ et lie cruikit myir ad occideñ: annum redditum viginti sex solidorum et octo denariorum de crofta terre nunc Iohanni Leith de Montgarie pertineñ Iaceñ prope lie crabstane ex parte occidentali territorii croftarum dicti burgi inter croftam quondam Ricardi Kyntor ex orieñ croftam quondam Alexandri Kyntor ex occideñ cõem viam regiam ex australi et croftam quondam Iohannis Mar ex boreali partibus Item annū redditum viginti octo solidorum et octo denariorum mone te predicť leuand et precipieñ de crofta terre olim quondam Iohannis Howy burgeñ dicti burgi et nunc Iohanni tulliedaff burgeñ ibidem spectañ Iaceñ ex parte orientali territorii croftarum dicti burgi inter croftam quondam alex^{ri} gray ex australi Croftam quondam Roberti Scroggis ex boreali cõem viam regiam ex occidentali et lie Gallowhillis ex orientali partibus: extendeñ in toto ad summam viginti septem librarum octo solidorum et octo denariorum vna cum superioritate mea dictarum terrarum et croftarum cum pertineñ: Quequidem feudifirme seu annui redditus cum superioritate predicť quatenus per me licitum est de pñti mortificantur et

south, the Croft of umquhile William Edie on the north, the King's common-way on the east, and the Crooked mire at the west; An annual rent of twenty six shillings and eight pence from the croft of land, now belonging to John Leith of Montgarry, lying near the Crabstane, in the west part of the territory of the crofts of the said burgh, between the croft of umquhile Richard Kyntor on the east, the croft of umquhile Alexander Kyntor on the west, the King's common high way on the south, and the croft of umquhile John Mar on the north parts; Also an annual rent of twenty eight shillings and eight pence, money aforesaid, leviabie and receivable from the croft of land, formerly of umquhile John Howie, burgess of the said burgh, and now belonging to John Tullidaff, burgess there, lying in the east part of the territory of the crofts of the said burgh, between the croft of umquhile Alexander Gray on the south, the croft of umquhile Robert Scroggs on the north, the King's common-way on the west, and the Gallow-hills on the east parts: Extending in whole to the sum of twenty seven pounds eight shillings and eight pence; together with my superiority of the said lands and crofts with the pertinents; which feuduties, or annual rents, with the superiority aforesaid, so far as is lawful for me, are, by these presents, mortified and granted

ad manum mortuam conceduntur ad reparationem et sustentationem dicti pontis de don pro tanto : Ita quod licitum erit dictis preposito balliuis consulibus et ciuibus dicti burgi eorumq, successoribus aut eorum m̃gro operis dicti pontis pro tempore dictas feudifirmas et annuos redditus predic̃ croftarum cum suis pertineñ annuatim et terminatim recipere et easdem ad reparationem et sustentationem dicti pontis applicare et ad nullos alios vsus prout deo in extremo Iudicio Respondere voluerint : Teneñ et habeñ Omnes et singulas predictas annuas feudifirmas et annuos redditus particulariter superius specificať extendē in toto ad dictam summam viginti septem librarum octo solidorum et octo denariorum annuatim leuañ et precipieñ ad terminos consuetos de dictis terris et croftis superius bondať et limitať cum superioritate predic̃ terrarum et croftarum Dictis Preposito Balliuis Consulibus et comunitati dicti burgi et eorum successoribus A me meis heredibus et assignatis De S. D. N. Rege et suis successoribus in feodo et hereditate ac in libero Burgagio hereditarie in perpetuum Cum omni Iure et Iuris clameo titulo proprietate et possessione ac cum omnibus aliis et singulis libertatibus commodatibus proficuis asiamentis et iustis pertineñ quibuscunq, ad predic̃ cum pertineñ

ad manum mortuam, for the reparation and support of the said bridge of Don, *pro tanto* ; So that it shall be lawful to the said provost, baillies, councillors, and citizens, of the said burgh, and to their successors, or to their master of work of the said bridge, for the time, to receive annually and termly, the said feuduties and annual rents of the foresaid crofts with their pertinents, and to apply the same to the repair and upkeep of the said bridge, and to no other uses, as they shall wish to answer to God at the last Judgment. To be held and had all and sundry the foresaid annual feuduties and annualrents set forth in detail above, extending in whole to the said sum of twenty seven pounds eight shillings and eight pence yearly, leviabie and receivable at the usual terms from the foresaid lands and crofts bounded and limited as above, with the superiority of the foresaid lands and crofts, by the said provost, baillies, councillors, and community of the said burgh and their successors, from me, my heirs and assignees, of our sacred lord the King and his successors, in fee and heritage, and in free burgage, heritably for ever : with all right, claim of right, title, property and possession, and with all and sundry liberties, conveniences, profits, easements, and just pertinents whatso-

spectantibus seu iuste spectare valentibus quomodolibet in futurum Libere quiete plenarie integre honorifice bene et in pace sine impedimento obstaculo reuocatione aut contradictione aliquali Reddendo inde annuatim Dicti prepositus balliui Consules et Cõitas dicti burgi de Abirdene eorumq, successores Prefato S. D. N. Regi et suis successoribus Seruitium Burgagium quantum spectat ad predictas terras feudifirmas et annuos redditus et alia seruitia et deuoria pro rata que ego heredes mei et assignati pro loco habitationis feudifirmis et annuis redditibus olim ad dictos capellanos spectant virtute mei infeofamenti earundem facere tenemur tantum pro õi alio onere seruitio seculari exactione questione seu demanda que de predictis feudifirmis annuis redditibus et superioritate antedictis aliquantulum exigi poterint vel requiri Et Ego vero dictus m̃gr alexander hay heredes mei et assignati Totas et integras predictas annuas feudifirmas et annuos redditus dictarum terrarum et croftarum particulariter supra spectat et bondat Cum superioritate earundem terrarum et croftarum et suis pertineñ Prefatis preposito balliuis Consulibus et Communitati dicti burgi et eorum successoribus In Omnibus et per õia forma pariter

ever, belonging, or that may anywise in time to come justly belong, to the foresaids, with their pertinents; freely, quietly, fully, wholly, honourably, well, and in peace, without any hindrance, obstacle, revocation or challenge whatsoever. Rendering therefor yearly the said provost, baillies, councillors and community of the said burgh of Aberdeen and their successors, to our foresaid sacred lord the King and his successors, such burgage service as pertains to the foresaid lands, feuduties, and annualrents, and other services and dues, *pro rata*, which I, my heirs and assignees, were bound to render for the dwelling place, feuduties, and annualrents formerly belonging to the said chaplains in virtue of my infeftment thereof, in place of all other burden, secular service, exaction, question, or demand which could anywise be exacted or required for the foresaid feuduties, annualrents, and superiority. And I, the said Master Alexander Hay, my heirs and assignees, shall warrant, acquit, and for ever defend against all mortals, all and whole the foresaid annual feuduties and annualrents of the said lands and crofts set forth in detail and bounded as above, with the superiority of the said lands and crofts, and their pertinents, to the foresaid provost, baillies, councillors, and community of the said burgh and their successors, in all and through all, in like form and effect

et effectu vt premissum Necnon liberas Immunes et exoneratas ab omnibus oneribus et periculis a facto nro proprio duntaxat hoc est quod neq, fecimus neq, faciemus quippiam in preiudicium huius infeofamenti Contra Omnes mortales varrantizabimus acquietabimus et in perpetuum defendemus Omnibus dolo et fraude seclusis Insuper dilectis meis Magistro Gulielmo Barclay aduocato et eorum cuilibet coniunctim et diuisim balliuis meis in hac parte specialiter et Irreuocabiliter constitutis salutem Vobis precipio et firmiter mando quatenus Statim sasinam et possessionem hereditariam realem actuaalem et corporalem omniū et singularum predict̃ feudifirmarum et annuorum reddituum specialiter super⁹ specificatorum et superioritatis antedict̃ Prefatis preposito balliuis consulibus et communitati dicti burghi de Abirdene et eorum successoribus destinā ad vsum et effectum suprascriptū et non aliter vel eorum certo actornato aut procuratori pntium Latori per terre et lapidis fundi dictarum croftarum donationes vt moris rēxiue et successiue tradatis et deliberetis seu alter vrum tradat et deliberet Secundum tenorem suprascripte carte mee et pntis Precepti sasine in omnibus visis pntibus sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vrum Cuilibet coniunctim et diuisim balliuis meis in hac parte antedictis meam

as aforesaid, and free, exempt, and discharged from all burdens and risks from our own deed, only, that is that we neither have done nor shall do anything in prejudice of this grant—all fraud and guile excepted. Moreover, to my beloved Master William Barclay, Advocate, and each of them, conjointly and severally, my baillies in this part specially and irrevocably constituted, greeting: I charge and strictly command you, or either of you, forthwith to give and deliver to the foresaid provost, baillies, councillors, and community of the said burgh of Aberdeen and their successors, for the use and effect abovewritten, or to their undoubted attorney or procurator bearing these presents, sasine and heritable possession, real, actual, and corporeal, of all and sundry the foresaid feuduties and annualrents set forth in detail above, and of the superiority aforesaid, by delivery of earth and stone of the said crofts, as use is, respectively and successively, according to the tenor of my abovewritten charter and this present precept of sasine, without delay: and this in no wise to omit. For which end, by the tenor of these presents, I grant to you and each of you, conjointly and severally, my foresaid baillies in this

plenariam et Irreucabilem tenore pñtium Committo pñtatem In cuius rei testimonium pñtibus per Robertam Rawsoun secreti sigilli scribam: deputatum scriptis ac subscriptione mea manuali subscriptis Sigillum meum propriū est appensum Apud Edinburgh Primo die mensis februaryi anno dñi millesimo sexcentesimo quinto Coram his testibus Magistro Ricardo douglas fratre germano domini quhittinghame georgio hay de Monkton Magistro georgio tod scriba finlao tailcower seruitore dicti dñi Regis et dicto Roberto Rawsoun pñtium scriba

part, full and irrevocable power. In witness whereof my own Seal is appended to these presents, written by Robert Rawson, Clerk depute of the Privy Seal, and subscribed by my own hand. At Edinburgh, the first day of the month of February, in the year of our Lord one thousand six hundred and five, before these witnesses, Master Richard Douglas, brother german of Lord Whittingham; George Hay of Monkton; Master George Tod, writer; Finlay Taylor, servitor of our said lord the King; and the said Robert Rawson, writer of these presents.

XX.

Sir Alexander Drummond, Judge Admiral Depute, appoints the provost and bailies admirals depute between the waters of Dee and Don. 8th August, 1617.

At Edinburt Aberdeine and the second and aucht dayis of August The 3^{er} of god J^m Sex hundreth and sewinteine yeiris It is appoyntit aggriet contractit and endit Betuixt the richt honorabill pairties following To wit Sir Alexander Drumond of meidhope kny^t ane of the lordis of his hienes secret counsall and senatour of the colledge of Justice Prin^l Judge deput Vnder My lord dukis Grace of Lennox In the office of admiralitie of this kingdoms With advyse and consent of Sir James weynne of bogis kny^t vice admirall On the ane pairt And Sir Thomas meinjies of Cultis kny^t provest of the burt of Aberdeine William gray Thomas forbes Robert Johneston and Gilbert Cullan present bailjeis of the sam burgh for thamselvis and in name and behalf of thair successouris provests and bailjeis throf pñt and to cum On the vther pairt In forme maner and to the effect eftermentionat That is to say fforsameikill

as the said Sir Alexander drumond being maist willing for the eas
of the liegis and to the intent that they be not distractit fra thair
lauⁿ adois In pleading of seyfairing caus^s and vtheris belanging to
the said office of admiraltie Bot within the boundis of thair awin
residence and Jurisdictioun And vnderstanding that the foirnamit
persouns contracteris w^t him ar verrie meit and habill to vse and
exerte The office of subdeputie of the said admiraltie In all actionis
and caus^s quhatsumever competent thairto Within the said burt of
Aberdeine port and harbour thair of and in all pairtis alsweill be sey
as land perteneing to the said office of admiraltie Betuixt the wateris
of dee and don On baith the sydis of the sam Including heirintill
baith the saidis wateris and riveris and all the portis and harbories
th^r of allanerlie THAIRFOIR The said Sir alexander drumond w^t consent
forsaid Hes maid nominat constituit and ordainit And be the tennor
heir of makis nominatis constitutis and ordanis The saidis provest
and bailies of the said burt of Aberdeine and thair successouris
foirsaidis present and to cum Conjunctlie and seuerallie depuctis in
the said office of admiraltie wⁱⁿ the haille boundis particularlie
abouementionate Vnder the said Sir alexander Induring all the dayis
of his lyf tyme or sa lang as he sal happin to bruik and posses the said
office as prinⁿ Judge deput in the foirsaid office of admiraltie And
hes gevin grantit and disponsit to thame conjunctlie and seuerallie
as said is all blindis vnlawis goldpennyis casualities profiteis and
commodities perteneing and belanging to the said office of admiraltie
wⁱⁿ the boundis and during the space befoirmentionat Exceptand
allanerlie thir greit casualities of the said office of admiraltie viz
piracies and prysis thair of all schippis barkis crearis and vtheris
veschellis landit w^t merchandice arryveand at onie pairt of the sey
wⁱⁿ the saidis boundis belanging in casualities to the said office of
admiraltie (Nawayis comprehending in this exceptioun onie schippis
barkis crearis or vther veschellis belanging to the said bur^t and toun
of aberdeine or onie Inhabitantis thair of Seing the samyn as they
occur ar be thir pⁿtis disponsit to the foirnamit persounis and th^r
foirsaidis w^t the rest of the small casualities of the said office during
the space abouewrittin) And siclyk exceptand furth of this pⁿt
commissioun and dispositioun All and quhatsumever Quhaillis Quhilkis
ar nawayis disponsit fra the said office of admiraltie be vertew of this

appoyntment Bot altogidder exceptit and reservit furth of the sain
WITH POWAR To the saidis provest and bailies of aberdeine pñt
and to cum Conjunctlie and seuerallie as said is To substituit creit
and ordaine deputtis ane or mae In the said office clerkis serjandis
dempstaris and all vther officearis and memberis of bur: necessar for
quhom thai salbe haldin to ano^r Courtis ane or mae of the said
admiralitie als oft as neid beis wñn the particular boundis abouespeit
or onie pairt thairof To affix afferme set down hald and continew
preceptis and vtheris citatiounis In all and q^tsumeuer actionis and
causs concerning the said office of admiralitie againis and in favouris
of all pairties haveand interes To direct and caus be execute Decreitis
arrestmentis poyndingis and all vtheris executorialls To give pronunce
and put in executioun Vnlawis bluidwitis and amerciamentis of burt
to vplift and ressave The samyn to their awin vse to apply and
gñallie to do vse and exert all and q^tsumever vther thing is lauⁿ and
requisit thairanent Qlke the said Sir alexander drumond micht do
himself in the said office of admiralitie gif he wer personallie present
ffirme and stabill haldand and for to hald this pñt cōmissioun Qlk
the said Sir Alexander declairis to be as ane valid and sufficient tak
anent the premiss during the said space The entire of the qlk tak is
declairit to be and begin at the dey and dait heiroy And swa furth to
continew and Induir Indwiring the said S^r alexander drumondis lyftyme
Or sa lang as he sal happin to bruik and posses the said office of admirali-
tie as prinⁿ Judge deput thrintill FFOR THE QUHILK The saidis provest
and bailies of aberdeine Bindis and obleiss thame and thair successouris
To content and pay to the said S^r alexander drumond 3eirlie during
his lyftyme At the leist during his richt to the said office of admiralitie
The sowme of Sax pundis thretteine schillingis four pennyis money
of this realme Anis in the yeir viz at the feist and terme of michaelmes
The first 3eiris payment of the said deutie to be and begyn at the
terme of michaelmes nixtocum And swa furth 3eirlie threfter at the
said terme during the haill tyme and space abouementionate Ordaining
and requyring the Cōmisser of aberdeine and the cōmisser clerk th'of To
tak the aithis of the foirnamit persounis In ane Judiciall fensit court
de fideli administratione In the said office And to give thame actis
and Instrumentis thrvpoun DISCHARGING be thir pñtis Lykas the said
S^r alexr drumond w^t advyse and consent abouespeit dischairgis all

and quhatsumever vther deputtis and substituitis in the said office gif onie be wⁱⁿ the boundis abouewrittin of all forder vseing and exerceing th^{of} And of all stopping debarring and Impeiding of the foirsaidis persounes In the lau^{ll} bruiking Joysing and vseing of the sam office In tyme cuing Within the boundis abouespecifiet during the space foirsaid And that tre of publicatioun be direct and execute heirvpoun In dew forme as effeiris And for the mair securitie baith the saidis pairties ar content and consentis that thir p^{ntis} be insert and re^{grat} in the buikis of counsall To give the strenth of ane decreit of the lordis th^{of} That exe^{lls} of hoirning vpoun ane simpill chairge of sax dayis and poynding The ane but prejudice of the vther may be direct heirvpoun And to that effect qⁿstitute Thair procuris In forma &c. In witness q^{rof} baith the saidis pairties hes subscriuit thir p^{ntis} (writtin be James hardie s^rvitor to Johnne gilmo^r wryter) day moneth 3eir of god and place rexiue foirsaidis Befoir thir witness Mr James hamiltoun brother in law to the said S^r alex^r drumond walter robertsone clerk deput of the said bur^t of aberdeine and the said James hardie witness to the subscrip^tione of the saidis S^r alex^r and S^r thomas men^{zies}

N forbes witnes

paull meng^zes witnes

J hamiltone witnes

W Robertsoun witness

J hardie witnes

J Wemys of Bogie

A Drummond

Tho^s Men^zeis

W Gray baillie

Robert Johnstone baillie

gilbert Cullen baillie

XXI.

*Alexander Rutherford renounces in favour of the burgh his office of Tronarship.
16th September, 1617.*

THE QUHILK DAY In Presence of the Provest Baillies and Counsall of the burghe of Aberdene Compeirit personallie Alexander Rutherford sone and air to vmq^{ll} Alexander rutherford Lait prouest of the said burghe quha haweand the p^{nt} possessioun as air to his said vmq^{ll} father of the office of Tronarschip of the said burghe of Aberdeine with the troneweychtis fees and casualities belanging thairto Lykeas the said

vmqⁿ. Alexander his father hed the possessioun thair of dywers
zeiris befor his decess be vertew of sume titill maid to him of the
samen be the Laird of Balbeigno for the time And the said Alexander
knowing that the Prouest baillies counsall and Communitie of the
said burghe hes ane ancient richt of all weyghtis and measuris
belanging to the same burghe disponsit to thame be vmqⁿ king
Robert bruice of most worthie memorie and that thay have lyikwayis
acquired ane new particular gift and Infestment of the said Trone-
weychtis and deutes thairto belanging of our Souerane Lord the
Kingis Maiestie under his hienes great seall and confermit in
Parliament Be wertew quhairoff thay haue intentit proces and
actioun of reductioun of the said Alexander rutherford his richt
of the same befor the Lordis of Sessioun howsoeuer for the many
gude offices done to the toun be his said vmqⁿ father thay owersaw
him to bruk the comoditie of the said tron during his Lyiftyme.
THAIRFOIR the said alexander sone and air fairsaid acknowledging
the waliditie of the Tounes richt to the said Troneweychtis and
dewties belanging thairto And being most unwilling to contest in
Law with the said Toun of Abirdeine ffor thir respectis and sounes
of money payit to him at the making heirof and of befor be the
Prouest Baillies Counsall and Comunitie of the said burghe in full
satisfacioun of all titill or richt he hes or may pretend to the
saidis Troneweychtis in any tyme comeing The said Alexander of his
awin frie will Uncoactit compellit or circumweinit RENUNCEIT quyt-
clomit dischargit simp^{tr} owergawe and transferrit and be the tenor heir-
of titulo oneroso Renunceis quytclames dischairgis simp^{tr} owergiwes
and transferris the said office of Tronarship with the Troneweychtis
fees casualities and dewties belanging thairto Togidder with all richt
and titill of richt clame entres propertie and possessioun quhilk the
said Alexander as sone and air to his said vmqⁿ father or be any
richt or titill quhatsumewir hed hes or onywayis may hawe clame or
pretend thairto in any tyme for ewir And that In fauore of the
Prouest Baillies and Counsall of the said burghe and thair successor
for ewir With powar to thame to mell and Introuett with the said
Troneweychtis and to caus vse and exerce the said office of Tronarschip,
vplift and ressaue the fees profitis and dewties thair of sett and roup
the same to the Tounes best awaill in all tyme comeing as thay sall

think most expedient Quhilk renunciatioun and translatioun aboue-writtin the said Alexander Rutherfurd bindis and obleiss him his airis and successouris To Warrant and defend to the saidis Prouest Baillies Counsall and Comunitie of the said burghe of Abirdeine and thair successorē from all fact or dead done or to be done to the said alexander or his foirsaidis preiudiciall heirto allanerlie And farder In respect the said vmqⁿ Alexander Rutherfurd his richt of the said office of Tronarship proceidit frome the laird of Balbeigno for the tyme and that vmqⁿ Andro Wod of Owerblairtoun predicesor to the said laird of Balbeigno is alledgit to hawe acquired ane heretabill gift of the said office of Tronarschip from vmqⁿ King James the fourt of worthie memorie Thairfoir albeit the said vmqⁿ Andro Wod his gift be posterior for many 3eiris to the said Toune of Abirdeines richt abouespēit made to thame be the said vmqⁿ King Robert bruice The said Alexander Rutherfurd for the said Toune of Aberdeines better securitie et accumulando Jura Juribus Obleiss him to caus S^r Johnne Wood now of Balbeigno pcur him selff to be seruit generall air to the said vmqⁿ Andro Wood of Owerblairtoun his predicesor And being serwit ġnall air to him To caus the said S^r Johnne dimitt owergive and transfer all titill and richt he hes or may pñd to the said office of Tronarschip fees dewties and casualities belanging thairto In fauorē of the said Toune of Aberdeine and thair successorē to be bruikit and Joyit be thame perpetuallie and heretablie in all tyme comeing Lyke as the said Alexander Rutherfurd obleiss him and his foirsaidis To mak all wther richt and titill sic as may stand be law to the said Toune of aberdeine of the said Troneweychtis and dewties belanging thairto as he or his foirsaidis requyred Prowyding that the said Alexander be not forder obleist in Warrantice bot from his awin and his successorē factis and deadis allanerlie and na farder Et sic subscribitur Alexander Rutherfurd with my hand. EXTRACTUM de libro actorum curie balliuorū Burgi de Aberdeñ per me Scribam cōmunem eiusdem subscriptum.

Mollesone scriba

Inventor of the Wreittes in this Wallett concerning the tronship.

1. Ane tak of the tronship giwin be king James anno 1484 to Andrew Wood of ower blairtoun for his lyftime

2. Ane chartor of the said tronship giwin be king James to the said Andrew Wood and his airs mail in ppetuie of the dait 1495
3. Ane chartor of alienation of the said tronship from Jhone Wood of Babeignoe to Alex^r Rutherford of the dait 1543
4. Ane vther chartor of the said tronship giwin be Walter Wood of Babeignoe to Alex^r Rethorfort of the dait 1601
5. Procuratorie of resignatione of the Tronship be Walter Wood to Alex^r Rethorfort of the dait 1601
6. Acquittance Laird Babeignoe to Alex^r Rethorfort of the Dait 1602
7. Contract betuixt the Provost of Abd and the Laird of Balbeignoe of the dait 1601
8. Supplication Alex^r Rethorfort to the Toune Abd of the dait 1585
9. two missive Letters with ane information
10. Disposition Alex^r Rethorfort of the tronship of the Burgh of Abd to the Provost Baillies and Cōmunitie theirow of the dait 1617 u^t the Laird
11. of Babeignoes renunceation and approbation in fawors of Alex^r Rethorfort of the dait 1616

XXII.

Mr. David Rutherford and Mr. John Mortimer, heritable proprietors of the Cran, resign their rights thereto in favour of the provost, baillies, etc. 17th February, 1630.

At Aberdene the sevintene day of februar the 3eir of god J^m sex hundreth and Threttie 3eiris in presence of maister alex^r Jaffray ane of the bailleis of the burghe of aberdene compeired Maister Alex^r dauidsone procurator speciallie constitute To the effect esterspēt Be maister dauid Rutherford and M^r Johne Mortimer burgess of the said burghe and in thair names consented to the registratioun of the letteris of dispositioun and resignatioun ad perpetuam remanentiam vnderwritin in the burrow court bookes of the same burghe thairin to remane ad futuram rei memoriam and to the effect exectioun may be direct thairon as neid beis in maner thairin contenit To the quhilk the Baillie foirsaid interponed his aūctie and ordaines the said^e letteris of dispositioun and resignatioun to be insert and reğrat in the saidis books To the effect foirsaid quhairof the tennor followis BE IT KEND till all men be thir present tres We Maister Dauid Rutherford and

M^r Johne mortimer burgess of aberdeine heretabill fewares and portionares of the Cran situat vpon the shoir or sea port callit the keyheid of the said burghe with the fruictis rentes custumes and dueties thairefter mentioned ffor sameikle as all and haill the said cran situat upon the schoir or sea port callit the keyheid of aberdeine with the fruictes rentes custumes and dueties thair of extending to auchteine penneis scottis money of ewerie twyn of gudes brocht to the schoir or fra the schoir in quhatsumewer sailling wescheill with the heretable richt and propertie thair of wes duelie and lauchfullie apprysed at the instance of me the said M^r Johne mortimer fra Thomas Mengzeis sone and air of wmqⁿ Robert Mengzeis burgess of the said burghe his tutor and curator for thair entres and that for the sowme of Sex hundreth thrie scoir nyne pundis thretteine schillinges four penneis scottes money as principall and threttie thrie pundis Nyne schillinges aucht pennies of sh^reff fie To be hauldin of the Prouest Baillies Counsell and comunitie of the said burghe of aberdeine siclyk and as frielie as the said wmqⁿ Robert Mengzeis or the said Thomas Mengzeis his sone held the samen befor the said apprysing quhilk is of the dait the fyft day of december the 3^eir of god J^m sex hundreth and nyne 3^eiris as the samen sein and considered be lordis of Counsell and fund be thame ordo^rlie procedit at lenth proportis Quhairwpon I the said Maister Johne mortimer purchest our Souerane lordis tres and thairwith causit charge the prouest Baillies counsell and comunitie of the said burghe superiour of the said Cran To Infest and safe me the said M^r Johne my airis and assignayes in the samen Cran with the custumes and dewties th^rof foirs^d Conforme to the said apprysing Lyk as the saides prouest Baillies Counsell and comunitie Superiour foirsaid for obedience to the said charge be thair charter wnder thair comoun seall Infest me the said M^r Johne Mortimer my airis maill and assigneis gild burgess of the said burgh in the said cran custumes and dueties th^rof To be hauldin of thame and thair successor siclyk and as frielie as the said wmqⁿ Robert Mengzeis held the same befor the said apprysing as the said charter with the said M^r Johne his Instrument of sasinge following thairwpon of the dait the sevintene day of Januar the 3^eir of God J^m sex hundreth and ten 3^eiris at lenth beares Lyk as also I the said Maister Johne Mortimer vpon the auchtein day of the

said moneth of Januar the 3^{er} of god foirsaid disponit the equal^l halff of the said cran and equall halff of the comoditie custumes and dewties thair of to the said M^r Dauid Rutherford his aires maill and assigneis quha upoun my Resignatioun procured the said Superior^e charter and Infeftment of the said halff Cran and wes heretable Infeft thairin the day foirsaid as his Infeftment and sasing propertis And in lyk maner the said Thomas Mengzeis sone and air to the said wmq^u Robert Mengzeis long efter his perfyt age of tuentie ane 3^{er}is compleit and efter he was seruit air to his said wmq^u faither Be his tres of Ratification and Renunceation of the dait the tuentie fourt day of Aprill the 3^{er} of God J^m sex hundre^t Tuentie sevin 3^{er}is for the caus^s onerout thairin sp^eit Not onlie Ratified and approved the said proces and decreit of comprysing led and deducet at the instance of me the said M^r Johne Mortimer againes him wpoun the apprysing of the said Cran for the soumes of money aboue writtin with my Infeftment charter and sasing following thairwpoun To have bene gude valid and ordorlie procedit with all that had followed or micht follow thairwpoun Bot lyikwayes Renuncet discharget and owergave fra him and his aires the legall Reuersion competent or quhilk might have bene competent to The said Thomas and his aires be the Lawes and practiq^u of this realme for Redemption of the said Cran fra me the said M^r Johne and my foirsaid^e Togidder with all wther richt titill entres kyndnes clame of richt alsueill petito^r as possessor quhilk the said Thomas as sone and air to the said Wmq^u Robert Mengzeis his father haid hes or onavayes micht hawe clame or pretend thairto in any tyme comeing To and In favor^e of me the said M^r Johne Mortimer my aires maill and assignayes To the effect we might Bruik and Joise the said Cran haill rentes Custumes and benefeittes thair of heretable and Irredeemable as our awin proper heretage But regres or Reuersion foreuir as the saidis tres of Ratificatioun and Renunciatioun of the dait foirsaid Registrat in the Baillie court book^e of the said burgh and ane decreit of the Prouest and Baillies thair of interponit thairto vpoun the flyftein day of Maii J^m sex hundreth tuentie nyne 3^{er}is at lenth in the self does testifie Be wertew of the quhilkes richtes the heretable proprietar of the said Cran is now fullie divolued and established in the persones of Us the saidis M^r Dauid Rutherford and M^r Johne Mortimer equallie

betuixt us and we have undowbtē richt to dispon thairvpon at our pleasour AND BECAUS Robert Alexander present Thesaurer of the burgh of Aberdeine in name of the Prouest Baillies counsell and comvnitie thair of our Superiør of the said Cran be thair speciall warrand and dirrection hes payed and delyuered to ws reallie and with effect in reddie money at the subscribing heiroy of all and hail The sowme of Nyne hundreth merks vsuall Scottes money convertit to our particular vse and benefeit equallie betuixt ws Quhairoy We grant the recept and thair of quytclames exoneris and discharges the saids prouest Baillies counsell and comvnitie of the said burgh and thair successors and als the said Robert Alexander thair Thesaurer fairsaid his aires executors and successors THAIRFOIR WITT ye us with vniforme consent and assent To haue sauld analiet and heretable disponit and be the tennor heiroy fra us and ilk ane of us our aires and assignayes quhatsumewer Sellis anallies and dispones heretable and Irredimable without any Reuersione redemption or regres for euer to the said Prouest Baillies Counsell and Comvnitie of the said burgh of Aberdeine our Superiør aboue named and to thair successor Prouest Baillies Counsell and comvnitie thof perpetuallie in all tyme comeing All and hail the said Cran situat wpone the schoir or sea port callit the keyheid of aberdeine with the fructes rentes custumes and dueties thair of extending to auchteine penneis Scottis money of ewerie twyn of good brocht to or fra the schoir of Aberdeine in quhatsumewer sailling weshell And for the saides prouest Baillies Councell and Comvnitie thair securitie thair anent and to the effect our heretable richt and propertie of the said Cran with the rent and dueties thof may be consolidat with thair superioritie of the samen Witt ye us with vniforme consent as said is for the onerous caus aboue Writin To haue Resignit Renuncit surranderit quyteclamed dischargit and simpfr ouergiwen And be thir pñtes of our awin frie will set purpose and deliberat mynd uncoactit or compellit for us and ilk ane of us our aires and successor whatsumeuer purelie and simplie Resignes Renunes surranderes quytclames discharges and simpfr wp and ouergiwes be staff and baton as vse is in sic caces In the hande of the Prouest Baillies Counsell and comvnitie of the said Burgh our Superiør aboue named All and hail the samen Cran situat wpone the said schoir and sea port callit the keyheid of

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Aberdene with the fruites rentes and dueties belonging thairto extending to auchteine pennies Scottes money of ewerie twn gudes brocht to or fra the said schoir in quhatsumeuer weshell as said is Togidder with all richt titill of richt clame entres propertie and possession quhilk we or ather of us had hes or onavayes may have clame or pretend thairto in any tyme cuming To and In favor of the said Prouest Baillies Counsell and comvnitie of the said burgh of Aberdene and thair successor our Superiour aboue named Consolidating heirby our propertie and heretable richt of the said Cran In the persones and favor of the saides Prouest Baillies counsell and Comvnitie of the said burgh of Abd. and thair successor with thair Superioritie throf abouespèit ad perpetuam remanentiam heretable and Irredimable but Reuersion redemption or regres for euer And obleiss us and our foirsaid To warrand this our Resignation aboue writtin of the foirsaid Cran with the rent and deutes thair of abouespèit ad perpetuam remanentiam as said is To the said prouest baillies Councell and Comvnitie of Aberdene and thair successor from our awin proper facts and deides allannerlie That is to say that we have not done nor shall do any fact in preiudice heirof and no forder Lyk as for that effect we have instantlie delyverit to the said Prouest Baillies and Councell the said proces of apprysing and regrat band quhairwpon the same procedit with our Infestmentes and all wtheris writtes fies and securites quhatsumeuer quhilke we haue or had concerning the said Cran to be keipet and vset be thame and thair successor in all tyme comeing as writtes and euidente Belonging to the said toun of Aberdene And for thair forder secureitie We obleis ws and our foirsaid To compeir personallie in presence of the Prouest Baillies and Councell of the said burghe and thair with all solempnitie requisite To resigne surrander and Upgive fra us and ather of us and our foirsaid the said cran with the fruites rentes and dueties belanging therto In the hand of ane honorable man Paul Mengzes of kynimvndie present prouest or any of the Baillies of the said burghe in name of councell and comvnitie of the said burghe our Superiour throf abouenamed ad perpetuam remanentiam as said is To and In favor of the saides Prouest Baillies Councell and Comvnitie and thair successor our Superiour foirsde in due convenient forme as efferis With warrendeis And forder We have

maid and constitute and be thir pñtes Makes and constitutes the saidē Prouest Baillies Counsell and Comvnitie our lauchfull Cessioneris and assignayis In and to the proffeittes casualities and dueties of the said Cran sic as the same hes randerit or that Justlie may be knowin to belong thairto sen the feast of michaelmes Last bypast in the 3eir of God J^m sex hundreth tuentie aucht zeires With powar to thame to mell Intramet with and wptak the same to the comon benefeit and vse of the haill toun call persew and charge thairfoir and all wther thinges to do for recoverie and uplifting of the same quhilk we micht have done our selffes Promittand to hauld firme and stabill Declairand heirby the said Toun of Aberdenes entrie to the said cran and propertie th'of to have bene and begwn at the said feist of michaelmes Lastbypast as gif this present Resignation ad perpetuam remanentiam in thair favorē had bene maid and grantit be ws befor the said terme of Michaelmes Last and notwithstanding thairof Quhair and we dispense be thir presentes for euer MOREOVER To the effect our haill richt and titill of the said Cran and dueties thairof With our richt of the said proces and decreit of apprysing may be fullie dissolued and established In favorē of the said toun of Aberdene Witt ye me the said M^r Johne Mortimer at whoes instance the said proces of apprysing wes led and deducet and in qhoes favorē the saidē tres of Ratification and Renunceation wer grantit be the said Thomas Mengzeis with expres consent and assent of the said M^r Dauid Rutherford and he for himselff his awin richt and entres and we both with vniforme consent for the onerous causse aboue writtin To have maid Constitute creat and ordanit and be the tennor heirof Macke constitutes creattes and ordanes the saidis Prouest Baillies counsell and comvnitie of Aberdene and thair successorē Our verie lauchfull wndoutted and Irrevocabill cessioneres assigneyes and donatorē veluti in rem suam propriam cum dispositione libera In and to the foirsaid proces of apprysing of the said Cran and dueties thairof led and deducet at the Instance of me the said M^r Johne Mortimer againes the said Thomas Mengzeis of the dait foirsaid and sowmes of money aboue writtin both principall and sheref fie for the quhilk the said cran wes appryset and in and to the Bandis gewin wpon the saidē sowmes haill heidē clausse conditiones provisiones and circumstances of the samen And In and to

the saidē tres of Ratification and Renunceation aboue mentionet maid and grantit be the said Thomas Mengzeis In favores of me the said M^r Johne Mortimer and my foirsaidē TURNAND transferrand and simpliciter disponand fra us and ilk ane of us and our foirsaidē The foirsaid proces of apprysing sowmes of money aboue spēt bandis and decreites quhairwpon the same procedit tres of Ratificatione and Renunceation abouespēt haill strenth forse and effect thair of With our haill richt and titill of the samen And of all that hes followed or may follow thairon To and In favorē of the said toune of Aberdene and thair successores for euer in the most ample forme of Constitution but revocation Obleising us be thir presentes and our foirsaidis To Warrant this our assignation and translation gude valid and effectuell to the saidē Prouest Baillies Councell and comvnitie and thair successorē from our awin proper factes ⁊ deidē allannerlie And to mak all wther securitie to thame concerning the premiss be aduysē of men of law as we shall be requyred with warrantice alwayes from our awin proper factes and deidē as said is and no fordir Concerning [sic] for the moir securitie that thir presentes be registrat in the booke of our Soverane Lordē Councell and Session or Baillie court booke of the said Burgh thairin to remaine ad futuram rei memoriam and to have the strenth of ane act and decreit of ather of the saidē Judges that tres and executorialles may be direct thairon as neid beis in forme effeiris and to that effect Constitutes Magister Alexander Daudsone advocat Our laulfull procuratorē promitten de rato In witnes quhair of we have subscriyued thir presentes with our handē written be M^r George Robertsons writtar in Abd. At aberden the Sextene day of Junii J^m sex hundreth tuentie nyne zeires Befoir thir witness Gilbert Mengzeis of Petfoddellis M^r Vedast Lawsone Alexander Rutherfurd Alex^r Stewart burges of the said bur^t and Walter Robertsons cōmoun clerk of the same bur^t sic subscribitur Maister David Rutherfurd M^r Johne Mortimer Gilbert Mengzeis witnes M^r Vedast lausone witnes Alexander Rutherfurd witnes Alexander Stewart witnes Walter Robertsons witnes

Extractum de libro Registri contractuū in Burgi de Aberdeñ per
me walterum Robertsons scribam cōmunem sub hac mea
subscriptione manuali

W. Robertson

XXIII.

*Dr. Patrick Dun mortifies the lands of Ferryhill to the provost, baillies, etc., for the maintenance of four masters in the Grammar School. 3rd August, 1631.**

BE IT KEND TILL ALL MEN, be thir present Lërs, ME M^r PATRIK DWNE, Doctor of Medicine, and Prin^l of the New Colledge of Aberdene, Forsameikle as I considering with my selff that grañr scooles qulkis the seminaries of all kynd of sciences and learning, sould be planted in all Christiane cōmōune wealthes, and competent meanes provydit for mentinence of Maisteris of the saidis scooles, to the intent that with the gritter allacritie and cheirfulnes they mey attend th^r chairge, and be the mair vigilant and painfull in training wp the youth cōmītted to ther educ^on in vertew and gude lërs; I thairfoir out of my zeall to Godis glorie, and to the floorisching of learning, and for the love I carie to the Burch of Aberdene, q^of I am ane borne citizen, maid laitlie, conqueist to my myselff, in lyfrent, during all the dayes of my lyfytyme, and eftir my deceis, to be employit & mortified *ad pios usus*, in sic forme and maner, and to the particular use, as be my awne writ and declar^one I sould set doune and appoynt: ALL and HAILL the TOUNE and LANDIS of FERRIEHILL, with the mylne, myllandis, multoris, and sequellis thairof, and with the haill ailhouss and smiddie croftis, houss, biggingis, yairdis, tenentis, tenendries, and service of frie tennentis, pairtis, pendicles, & ptinentis, of the foirnamit landis, togidder with the teynd schevis of the samen, lyand within the parochine of S^t Machar, and Schirrefdome of Aberdene, contigue, adjacent to the burrow ruidis of the said burch, as the lërs of dispositione, charter, and infestment following th^rupone, maid to me be Patrik Hepburne, at the litle mylne of Essilmonth, with qsent of Mr W^m Hepburne, his broth^r, and certane wy^r psones th^rin nominat, of the dait the fourt day of Junii, j^mvj^c twentie nyne yeiris, at mair lenth proportis:—And now, becaus I am fullie resolved anent the forme & maner of the mortefeing of the saidis landis &

* See XLV., p. 148.

teyndis, and to q^t particular use the same sall be mortefeit and destinat; thairefoir be thir p^{nt}tis I declair and mak manifest and knawin my will th^aenant, to be for mentinence of four Maisteris within the Gra^mer Scoole of the said Bruch of Ab^d, perpetuallie in all tyme co^ming, in forme, substance, & effect eftir following, & upon the conditiones, provisiones, limit^anes underwritin, and na wth^rwayes: That is to say, Witt ye me to the honor of ALMIGHTIE GOD, and for the benefite of Kirk and Co^moune wealth, to have frielie gevin, grantit, destinat, and perpetuallie mortefeit, and be the tenor heirof now and for evir I frielie giff, grant, destinat, and perpetuallie mortifie to the Provest, Baillies, Counsell, and Co^mountie of the s^d burch of Aberdene, and to th^r successoris, Provest, Baillies, Counsell, and Co^mountie th^rof in all tyme co^ming, for mentinence of the saidis four Maisteris of ther Gra^mer Scoole, in maner and upon the conditiones underwritin allanerly, and na wth^rwayes: All & haill the foirsaid toune & landis of Ferriehill, with the mylne, myllandis, multoris, and sequellis th^rof, with the haill ailhous^s & smiddicroftis, hous^s, biggingis, yairdis, tennentis, tennendries, & service of frie tennentis, pairtis, pendicles, & pertinentis, of the foirnamit landis, togidder with the teynd scheaves th^rof includit w^t the stock, lyand as said is; To be haldin of our Soverane Lord the Kingis Ma^{tie}, and his Hienes successoris, now i^mediat superioris of the saidis landis, be vertew of the Act of Annex^ane of the Kirk landis of this realme to the Patrimonie of the Croune *in puram et perpetuam elemosinam*; or in few ferme or frie burgage, as his Ma^{tie} sall be pleasit to grant the same; Q^lkis landis wer haldin of auld of the Pryor and q^uvent of the Trinitie Freiris of Ab^d, in few ferme for yeirlie pay^t of the soume of twentie pundis usual Scottis money, to the minister of the saidis freiris, or to q^t sum^wther psone havand richt th^rto, at tua termes in the yeir, witsonday & mairtimes in winter, be equall portiones: And siclyke payand yeirlie for the teynd scheavis of the saidis landis to the Prin^l Subprin^l Maisteris and memberis of the Kingis Colledge of auld Aberdene, the soume of fyiftie merkis money foirsaid, at the termes of pay^t usit & wont allanerly: Reservand alwayes to me, the said Mr Patrik Dun, my lyffrent of the saidis landis, teyndis, & utheris foirsaidis, during all the dayes of my lyfytyme: And for the better performance of the s^d mortific^aone, and obtening of his Ma^{ties} infestment

th'upone, for the use, & upon the conditiones eftir spëit, Witt ye me, with expres advyse & qsent of the said Patrik Hepburne, my author of the saidis landis & mylne; and als the said Patrik, for himselff, his awne richt and entres, as last imediat tennent and vassall th'of to our said Soverane Lord, and we baith with mutuall & uniforme qsent & assent, to have maid, qstitute, & ordanit, and be thir pnttis makis, qstitutes, and ordaines, and ilk ane of them, conjunctlie & severallie, our verie lawfull, undouttit, & irrevocable pro'is, acto'is, facto'is, mess'is, and speciall earand beareris, to the effect underwritin, gevand, grantand, & comittand to them, and ilk ane of them, conjunctlie & severallie, as said is, our verie full, frie, plaine power gñrall and speciall comānd, expres bidding, & chairge, for us, in our name, & upon our behalf, to compeir befoir our said Soverane Lord, or his Hienes Successores, or befoir the Lordis Comissioneris appointit be his Ma^{tie}, for ressaving of ressign^{ane}s, & granting new infestmentis th'upone, and th' at qsum^r day or dayes, tyme & place qvenient, with all humilitie & submissione, as becometh, purelie and simplie be staff and bastoun, as use is, to resigne, renunce, surrander, wp and overgive, lyikas I the said Mr Patrik Dwne, with advyse & qsent of the said Patrik Hepburne, and we baith with ane qsent and assent, now as than, and than as now, be thir pnttis, resignes, renunces, surranderis, purelie and simplie for ws, & aith^r of ws, our aires and ass^{is}, wp and overgives, All and Haill the said toune and landis of Ferriehill, with the mylne, mylnelandis, multoris, sequellis, ailhous^s and smiddie croftis, hous^s, biggingis, yairdis, tennentis, tennendries, and service of frie tennentis, pairtis, pendicles, & pertinentis of the saidis haill landis, lyand as said is, togidder with the teynd scheaves th'of, includit with the stock, with all richt, title, entres, clame of richt, propertie, & possessione, q^{ik} we, or aith^r of ws, had, hes, or ony wayes mey have, clame, or pretend th'to, or any pairt th'of, in tyme coming, in the handis of our said Soverane Lord, or his Hienes successores, superioris th'of, or in the handis of the saidis Lordis Comissioneris; and that in speciall favor, and for new heretable infestment of mortific^{ane}, to be gevin and grantit back againe thairof, be our said Soverane Lord Superior foirsaid, under his Ma^{ties} Grit Seill in dew and competent forme, as effeiris, to the saidis Provest, Baillics, Counsell, & comountie of

the said Burch of Aberdene, and to th^r successores, Provestis, Baillies, Counsell & cōmountie th^rof, for evir, to the use and for mentinence and interteinment of four M^{ris} within the Gramer Scoole of the said Burch of Ab^d, perpetuallie, in all tyme coming, proportionallie amonge them, with the conditiones, provisiones, and limit^{nes}, as is eftirmentionat, and no wth^rwayes, viz. I ordane the yeirlie dewtie of the saidis landis, mylne, & teyndis, to be upliftit and layde upon bank ay and quhill the same grow and accres to such ane soume of money, as mey buy and conqueis sa meikle landis, weill haldin, & cōmodiously lyand, as will render & pay sex hundreth merkes money scotis of yeirlie frie rent, makand in all, with the present rent of the saidis landis, and mylne of Ferriehill, the soume of twelff hundreth merkis yeirlie; and incace of my deceis befor the full pformance th^rof, I appoint and ordane the Provest, Baillies, & Counsell of the said Burch of Ab^d, w^t advyce and concurrence of my loving freindis M^r W^m Johnstone, Doctor in Phisick, M^r Alex^r Jaffray, and M^r Ro^t Farq^r, burgess of Ab^d, or ony of them being on lyiff, to tak the paines for manageing of the rent of the saidis landis, mylne, and teyndis, and of the yeirlie employment th^rof upon bank, till the same mey accres in maner, to the proportione, & for the effect foirsaid; Qlk hail full rent of twelf hundreth merkes Scottis money, I ordane to be employed upon the mentinence and interteinment of four Maisters of the Gramer Scoole of the said Burch of Aberdene; the first & prin^l Maister q^rof I ordane to teache the Hie Clas of the said Scoole, and to have the inspectione & oversicht of the rest of the Maisteris, and to have of yeirlie stipend the soume of sex hundreth merkes money, of the rent of the saidis landis; and everie ane of the remanent thrie Maisteris to have yeirlie twa hundreth merkes mo^e, with this alwayes conditione that it sall not be law^l to ony of the saidis four Maisteris to tak any more salarie or stipend from ony scoller within the said scoole, except only thretteine shillingis four pennies Scottis money, at the maist, ilk quarter of the yeir, unles he be the sone of ane Marquis, Erle, Vicount, Lord, or Barone, fra q^m the Maisteris sall have libertie, to tak sic stipend for instructione of th^r bairnes, as the Noble men or Barones sall be plesit to bestow upon them, and that ilk Maister sall tak the said stipend from the scollares of his awne clas allanarly: SECUNDLY,

q^tsum^r scollar comeing to the said Gra^mer Scoole, and bringand w^t him ane testimoniall, sub^t be honest & famous men, declaring his povertie, or the povertie of his parentis, sall be teached gratis:—

THRIDLIE, all theis that ar of the surname of Dune, of q^t rank or q^ditione soevir they be, sall be lykewayes teached gratis; and gif it sall be tryed, that any of the saidis four Maisteris ressave, aith^r directlie or indirectlie, any money, or any wth^r benefite, from any poore scolar, or yit from ony of the surname of Dun, the Maister contravening, immediatlie eftir dew tryell th^rof, sall be depryved, *ipso facto*, of his place in the said scoole, & ane wth^r admitted & placed th^rin; and so also sall the whole tennentis sones of the saidis landis of Ferriehill, and remanent landis to be conquiest for the use foird, be teached gratis perpetuallie, in all tymes comⁱng: And for the better performance and conserv^ene of this my mortific^ene, I declair, that, induring all the dayes of my lyfytyme, I my selff sall be only and absolute Patrone and presentar of the saidis four Maisteris, & ilk ane of them, as th^r places sall happin to vaik; and, eftir my deceis, I nominat, q^stitude, appoint, and ordane the Provest, Baillies, Counsell, & com^ountie of the said Burch of Abd^e for the tyme, with M^r Ro^e, Charles, and Patrik Dunes, my brother sones, and th^r aires maill of pfyte aige, they being knawin to be honest & consciencious men, and not gevin to railling, to be Patrones and q^sservato^{rs} *in perpetuum*, of this my mortific^ene, and presentaris of the saidis four Maisteris, & everie ane of them, as their places happnis to vaik, and to sie the haill poynttis of this p^rnt mortific^ene, preceislie performed & executed, as it is heir set doune, and the yeirle rentis of the foirsaidis landis, teyndis, & wtheris, abovewrittin, to be bestowit & imployit to the wse afoir designit, and to no uther use, *sub pena anathematis*: And farder, I ordane the first & prin^l M^r of the said scoole to come yeirle, at Michelmes, to the saidis Provest, Baillies, and Counsell of Aberdene for the tyme, and desyre them to nominat and appoint visitoris for visit^ene of the said scoole, anes at lest everie moneth for th^t yeir, and to appoint the saidis visitoris to tak just notice & tryell gif the lawis of the said scoole be observit both in doctrine & discipline, and gif the haill conditiones of this my mortific^ene be also keipit be the saidis M^{rs} eftir the forme & tenor th^rof; and qⁱn the saidis visitoris findis any brack or viol^ene, that

they mak faithfull report accordingle to the saidis Provest, Baillies and Counsell. Lykas I appoint the said Prin^l Maister to come anes ilk moneth, and put the Magistratis in mynd to direct ther visitoris to mak a visitatione of the said scoole to the effect foir^d; q^{rin}, giff the said prin^l M^r sall be fund deficient in not desyring the said monethlie visit^{ane}, I ordane him for ilk monethes defect in this dewtie, *toties quoties*, to tyne and amit ten merkes mo^e of his stipend: Declairing heirby, that it sall be law^l to any honest man wⁱⁿ the Toune of Abd^e, to challenge the said prin^l M^r of this neglect, befor the Provest & Baillies of the said Burch for the tyme, and he being fund culpable & defective thairin, I ordane the said challenger to have ten merkes for his paines, sa oft as the said prin^l M^r sall be fund deficient in desyring the said monethlie visit^{ane}: And in lyik maner, giff ony of the saidis four Maisteris sall deboird or deboische in lyiff or convers^{ane}, or to be tryed any tyme absent causles, and defective in th^r dewtie incumbent to them be th^r office, I ordane also, *ipso facto*, that the M^r fund debording in lyiff, or defective in dewty, sall be depryved of his office be the Provest, Baillies, & Counsell of the sd Burch for the tyme, and of all benefite th^{ro}f, in all tyme th^{re}stir, and ane wth^r to be admitted in his place eftir the ordor above prescryvit; and as for the tryell of the qualific^{anes} of the saidis four Maisteris, comit the same, in all tyme comeing, to tua of the Ministeris of the said Burch of Abd^e, q^m the Counsell for the tyme sall be plesit to nominat to th^r effect, and to the Prin^l and four Regentis within the New Colledge of the said Burch, quho being solemnly sworne, in p^{nce} of the Counsell, sall testifie the presented ane or mae to be worthie, and sufficiently learned and qualefeit for such a place: Bot gif any of my awne surname, or ony of the sones of the tennentis of Ferriehill, or the sones of the tennentis of any wth^r landis that sall happin to be conqueist & mortefeit to the use foirsaid, be fund qualefeit for such a place in the said Gramar Scoole, q^a the same sall vaik, let them be preferred, without ony q^{test}ane; and fail^eing of them, that they be not suitaris for th^r place, I ordane ane program to be affixit on ane Sunday, on the maist patent doore for the tyme, of S^t Nicolas Paroche Kirk of Abd^e, and intim^{ane} maid, baith south and north, within thrie monethes to present themselfis, q^o ar desyrous of such

a place ; and eftir tryell taken of theis that sall present themselffis, let them aither be admitted or rejected, according to th^r sufficiencie or insufficiencie ; and immediatly befor th^r admiffione, ane aith sall be exacted of them, to doe q^t lyes in ther power for the weill of the Colledge Marschell within the Burch of Abd, and to prefer the same to all wth^r Colledges, in geving counsell to th^r scollares to be brocht up in the foirsaid Colledge Marschell ; humblie intreating that our gracious and dread Soverane the Kingis most excellent Ma: and the Lordis Comiffioneris appointit for granting infestmentis, wald be plesit to give & grant, in maist ample forme, his Ma^{ties} Charter of Confirm^{ne} of this my mortific^{ne}, under the Grit Seall, in dew & competent forme, under & upon the conditiones & provisiones abovewrittin : Lyikas I DECLAIR, DECERNE, and ORDANE this my WILL and MORTIFIC^{ONE} to STAND UNALTERABLE, INVIOLEABLE, and UNCHANGEABLE, in all tymes, heireftir and for evir ; and for th^t effect I most humblie desyre the Richt Noble and Potent Erle, Williame Erle Marschell, his aires and successores, Erles of Mareschell, to sie this my mortific^{ne} conserved in full integritie, and imployit to the use abovewrittin allanerlie, and no wth^r wayes, seing it tendis to the weill & standing of his Lordschipis Colledge wⁱⁿ the said Burch : As lyikwayes I earnestlie intreat the saidis Patrones to be cairfull that the few & teynd dewties of the saidis landis & teyndis be preceislie payit at the terme of Mairtimes yeirlie, that no inconvenient come upon stock or teynd, in default of not tymous pay^t of the saidis few & teynd dewties, to q^tsum^r p^{son}e or p^{son}es havand richt th^to ; and for the mair securitie, I ordane, am q^tent, and q^sentis that thir p^{nt}tis be insert and re^{gr}at in the Bookes of Counsell & Sessione, or Tounes Bookes of Abd, *ad futuram rei memoriam* ; and to that effect I q^stitute M^r Thomas Sandilandis my law^{ll} procurator^{ls}, *promitten. de rato*, be thir p^{nt}tis, writtin be Patrik Smith, Notar Publict, and sub^t be me :—At Aberdene, the thrid day of August, the yeir of God j^mvj^c threttie and ane yeires befor thir witness, the said M^r Alex^r Jaffray, M^r Thomas Merse, writter in Ed^t, & the said Patrik Smith, writter heirof ; Sic sub^t PATRIK DUNE, D. with my hand ; Mr Alexander Jaffrey, witnes ; Maister Thomas Merse, witnes ; Pa. Smith, writter & witnes.

XXIV.

Sir Charles Erskine, Lyon King of Arms, confirms the arms of old appertaining to the Royal Burgh of Aberdeen. 25th February, 1674.

TO ALL AND SUNDRIE Whom it effeers I SIR CHARLES ARASKINE of Cambo knight Baronet LYON KING OF ARMES CONSIDERING That Be Severall acts of Parliament Especiallie Be the Tuentie one act of the third session of the Second parliament of our dread Sovereigne Lord CHARLES the SECOND be the Grace of God KING of Scotland England France and Ireland defender of the faith I am Impowered to visit the wholl armes and Bearings Within this kingdome And to distinguish them with congruent differences And to Matriculat the same in my books and Registers and to Give Extracts of all armes Expressing the blazoning therof vnder my hand and seall of office Which Register is be the forecited act ordained to be respected as the true and unrepealable rule of all armes and Bearings in Scotland To Remaine with the Lyons office as a publict register of the kingdome THERFORE Conforme to the power given to me be his sacred Majestie And According to the tenor of the said act of parliament I Testifie and make knownen That the armes and Bearings of old apertaining to the ROYALL BURGH of ABERDEIN And now confirmed be me to them Is matriculat in my said publict Register vpon the day and dait of thir presents and is thus blazoned VIZ The said ROYALL BURGH of ABERDEIN Gives for ensignes Armoriall Gules three Towers Triple towred within A Double Tressure counterflowred Argent Supported by two Leopards proper The motto in ane Escroll above BON-ACCORD And vpon the reverse of the seall of the said burgh is Insculped In A feild Azure A Temple Argent Saint Nicolas standing in the porch mitred and vested proper With his dexter hand Lifted vp to Heaven praying over Three Children in A Boyling Caldron of the first and holding in the sinister A Crosier Or Which Armes Above blazoned Being granted and Confirmed to the said Royall Burgh Be Severall of his Majesties Most Royall predecessores Kings of Scotland for their Loyall services performed to them I declare to have bein and to be the true armes of the said Burgh IN TESTIMONIE

1



EMBLAZONMENT OF BURGH ARMS

24TH FEBRUARY, 1674.

WHEREOF I have subscrived this Extract with my hand and have caused append my seall of office therto GIVEN at Edinburgh the Tuentie fyft day of februarij and of our said soveraigne Lords reigne the Tuentie Sixth year. 1674.

(Signed) CH: ARASKINE LYON.*

XXV.

The provost, baillies, etc., perambulate the Inner Marches of the Burgh. 11th May, 1696.

Which day the counsell ordained ane true report of the perambulatione of the townes inner marches as they wer preambulat the eleventh of May instant to be insert in the counsell books and whereof the tenor follows viz^t Att Aberd the eleventh day of May J^mvi and nynie six yeirs The said day the Provost Baillies Dean of thess^r past and visited the common getts and passages about this towne and for the better cleireing and verifieing the gates and passages following took with them certan famous honest men who best knew the samen witnesses sworne and examined conform to the old dec^t pronuncit thereanent And first began at the Gallowgate head and ther fand that George Reid stabler at the east syde of the Gallowgat Port hade taken out ane march stone out of his yard dyke, wes ordained to be conveyened therefore and ordaines the stons on the porthill to be removed And from thence divideing equally viz^t the on halfe keeping the high way as they goe to the old towne till they came to ane new house latly builded on the east syde of the s^d highway by Robert Duguid customer made interruptione thereat And from thence keeping the kings highway till they came 3 mett the other halfe of their number at the foote of the rode which descends from the backgates of the head of the Gallowgat by Alexander Toasch barne

* The docquet annexed to the emblazonment is as follows :—

"This is the true Bearing of the Royall Burgh of Aberdein as it is now confirmed be the Lyons warrand and extract of the dait of thir presents And collationed be me Master Robert Innes Clerk to Sir Charles Araskine Lyon King of Armes and Keeper of the Register of Armes At Edinburgh the 25 February 1674

"Signed ROBT. INNES."

which highway from the s^d Robert Duguids house thereto ought ⁊ should be four ells in breadth conform to the march stons and fand the s^d highway only a litle encroacht upon The other halfe keeping in the highway by the old wind milne for visiteing the back gait of the head of the Gallowgate which rode from the s^d wind milne to the s^d Alex^r Toasch barne ought to be four ells in breadth at the narrowest ordained the march stone at the s^d old wind milne to be minded and fand that William Lumsden had incroachit upon the s^d road about three fouts with the gavell of his barne made interruption therat and ordained him to be conveyened And from the s^d Alexander Toasch barne keeping the highway south-east or thereby till they came to the house formerly belonging to W^a Lindsay ⁊ now to which is four ells in breadth at the narrowest ⁊ fand the same ordinarily well observed and ordained and ordained ane timber ravelling to be built befor Captan Melvills stank And from thence divideing equally viz^t the on halfe keeping the highway lineally to the Thieves Bridges from the well called the Nook Well without the Justice Port which rode from the s^d well to the Theivs Bridges ought and should be four ells in breadth at the narrowest and fand the same rode greatly incroachit upon by Alexander Forbes tennent to the Lady Barns and be Alexander Smith hyrer tennent to Marjorie Burnet for encroacheing on the neu calsie built there made interruptione on both And from thence keeping the stank at the Thieves Bridges straight eistward to Footysmyre ⁊ fand the same rightly observed the other half straight downe the Bowll Rode (which ought to be also four ells in breadth) and fand the march stons on both sydes almost extinct ordained the same to be renewed And from thence meeting all in the Links went be the heads of the crofts betwixt the first holl of the Links and Garvacks Wynd and fand the same rightly observed except ane march stone which wes lifted at Footischoll ordained to be renewed and fand ane great holl casten in the Links about the eist end of Garvocks Wynd by the cariers of sand ordains the same to be filled up and the makers thereof conveyened ⁊ fyned And from thence divideing equally the on halfe from the eist end of the s^d Garvocks Wyne keipeing the heads of the crofts nixt the sea towards the block-house fand the same ordinarily well observed from incroachments on

tennents to Janet Cruickshank relict of John Licklie maltman hade incroacht greatly on the s^d highway by build of three corss housses theron which wer ordained to be demollished and the s^d Janet conveened and that the narrowest part of the s^d way from the s^d Bowbridge to the Crabstone ought to be twenty on foots in breadth The other halfe keepeing westward straight up the Denburne fand an great incroachment on the comontie of the s^d burne not only on the eist syde thereof by the yard pertaineing to the aires of James Allan Litster and croft now labored by David Ord ordained both to be helped and made interuptione and ordaines the s^d comun rode to be repaired which goes allongst the east syde of the s^d burne but also that hade labored ane rigg of land lyand benorth the duckat at the foot of the brae and west syde of the s^d burne which ought to be cōity made interuptione thereat and ordaines the tennent to be conveened and the corns thereof to be shorn when rype And also fand that the croft now laboured be Arthur Robertsons late in Caberstone wes greatly enlarged upon the commony of the eist syde of the s^d burne ordained the corns therof to be cutted when rype till they come lineally with the march stons of the s^d croft and the s^d Arthur to be cited & fyned and from

thence goeing up the s^d burne took interuptione at the Skinners Scons as also at ane litle house built on the west syde of the s^d burne on the south syde of the high rode to Robslaw because it incroached upon the s^d rode And from thence keeping the high rode to Robslaw above Sant Johns Well fand the north ends of the crofts on the south syde therof rightly observed And from thence begining at the westmost end of the croft called Hardweird fand that the present tennent hade encroached greatly on the comonty of the Denburne made interuptione both at house & croft and ordained Alexander Sangster measone to build ane dyke ther on the north syde of the s^d burne upon his oun expenss conform to his obligement seeing the old stons of the old dyke wer taken away by him And from thence keepeing close by the s^d burne till they came to the Womanhill wher divideing the on halfe went about the calsie at the Broad Foord keeping the highway to the carne till they came to the Gallowgat head & fand all rods and marches rightly observed the other halfe keeping the road whych lyes betwixt the Colledge Croft now possest be Charles Sangster weaver and the lands of the Loch belonging to the towne fand the same ordinarily well observed except a little incroachment in the nor^t syde of the s^d croft upon the s^d rode wherat interuptione wes made till they also came to the Gallowgat Port keepeing the way of the cloussis & backgates & fand all rightly observed

PART IV.
INVENTORIES OF RECORDS
ILLUSTRATING THE HISTORY OF
THE BURGH OF ABERDEEN.

CCC

I.—RECORDS UNDER THE CHARGE OF THE TOWN CLERK.

A¹* BURGH CHARTERS, ACTS OF PARLIAMENT, &c.

- *1. Charter by King William the Lion, printed on p. 3, No. I.
- 2. Charter by King William the Lion, " 4, " II.
- 3. Charter by King William the Lion, verbally, though not literally, identical with the preceding. Reproduced in facsimile in Kennedy's *Annals of Aberdeen*, Vol. I., p. 9.
- 4. Charter by King Alexander II., printed on p. 5, No. III.
- 5. Charter by King Alexander III., " 8, " IV.
- 6. Letters by King Alexander III., " 9, " V.
- 7. Letters patent by Guardians of Kingdom, " 289, " I.
- 8. Letters patent by Community of Banff, " 290, " II.
- 9. Charter by King Robert I., " 10, " VI.
- 10. Charter by King Robert I., " 11, " VII.
- 11. Charter by King Robert I., " 12, " VIII.
- 12. Charter by King Robert I., " 14, " IX.
- 13. Letters patent by King Robert I., " 15, " X.
- 14. Letters patent by King Robert I., " 16, " XI.
- 15. Charter by King David II., " 17, " XII.
- 16. Letters patent by King David II., " 18, " XIII.
- 17. Letters of reprisal by King David II., giving warrant to apprehend all Flemings, sailors excepted, found in Scotland, until a sentence of banishment against all his subjects found in Flanders be removed. 12th November, 1347. Printed in Gordon's *Description of Both Towns of Aberdeen* (Spalding Club), p. 41.
- 18. Letters patent by King David II., providing that Scotch Merchants shall have a staple of merchandise at Middleburgh in Zealand. 12th November, 1347. Printed in *Descr. of Both Towns*, p. 42.

* These letters and numbers are the pressmarks of the bundles in which the writs are at present arranged in the Town House Charter Room. A¹ embraces the period down to 1500 A.D.

19. Charter by Alexander Ysaac to John de Edynhame, burgess of Aberdeen, of a feuduty of twenty shillings sterling from a piece of ground in the Castlegate. 18th April, 1350. Printed in *Descr. of Both Towns*, p. 42.
20. Attested copy, by John, Bishop of Moray, of a charter by King William the Lion granting to the Church of St. Mary of Kinloss five crofts in the burghs of Inverness, Eren, Forres, Elgin and Aberdeen. Copy dated 29th August, 1355. Printed in *Descr. of Both Towns*, p. 44.
- 20^a. Copy of Obligation by Procurators of Four Burghs, printed on p. 305, No. IX.
21. Copy, from Books of Council and Session, of a Charter by King David II. granting to his burgesses of Scotland exclusive right to buy and sell within the freedom of their respective burghs. 8th March, 136³. Printed in *Descr. of Both Towns*, p. 86.
22. Charter by King Robert II. to Andrew de Inchestur of the lands of Rubislaw, resigned by John de Inchestur. 20th May, 1378.
23. Charter by King Robert II., printed on p. 19, No. XIV.
24. Charter by King Robert III., " 21, " XV.
25. Bond by King James I., " 22, " XVI.
- 25^a. Copy of Obligation by Burgh, " 317, " XI.
26. Letters by King James II., " 24, " XVII.
27. Charter by King James II., " 25, " XVIII.
28. Letters by King James II., " 27, " XIX.
29. Letters by King James II., " 29, " XX.
30. Charter by John Bannerman of Elsick to his uncle John Bannerman, burgess of Aberdeen, of the lands of Cruives. 13th November, 1440.
31. Charter by John Bannerman of Elsick to the provost, baillies, etc., of Aberdeen, of the lands of Cruives. 12th January, 1459. Printed in *Descr. of Both Towns*, p. 50; and in *Cartularium Ecclesie Sancti Nicolai* (New Spalding Club), i., p. 8.
32. Charter by King James III., confirming A¹ 30. 2nd April, 1465. Printed in *Cart. Eccl. S. Nich.*, i., p. 10.
33. Charter by King James III., printed on p. 30, No. XXI.
34. Instrument of sasine following thereon. 25th June, 1466. Printed in *Cart. Eccl. S. Nich.*, i., p. 6.
35. Charter by King James III., printed on p. 33, No. XXII.
- 35^a. Copy of Charter by King James III., almost verbally identical with last, but dated 6th September, 1483. Cf. *Reg. Mag. Sig.*, vol. ii., p. 329.

36. Letters by King James III., appointing Andrew Wod of Overblairtoun, for his lifetime, tronator of the burgh of Aberdeen. 20th April, 1484. Printed in *Descr. of Both Towns*, p. 55.
- 36^a. Copy of Charter by King James IV., printed on p. 323, No. XIII.
37. Letters by King James IV., printed on p. 35, No. XXIII.
38. Charter by King James IV., appointing Andrew Wod and his heirs male perpetual tronators of the burgh of Aberdeen. 7th June, 1495. Printed in *Descr. of Both Towns*, p. 55. Cf. *Reg. Mag. Sig.*, vol. ii., p. 478.
39. Letters by King James IV., printed on p. 36, No. XXIV.
40. Copy of Charter by King James IV., printed on p. 329, No. XIV.
41. Copy of Charter by King James IV., confirming A¹ 36^a. 21st August, 1498. Printed in *Registrum Episcopatus Aberdonensis* (Spalding Club), ii., p. 303. Cf. *Reg. Mag. Sig.*, vol. ii., p. 519.

A².* BURGH CHARTERS.

1. Letters by King James IV., printed on p. 41, No. XXVI.
2. Letters by King James IV., " 38, " XXV.
3. Extract tack by the provost, baillies, etc., to William and Elizabeth Make-soun, of the Justice Mills, with the multures, etc. 13th December, 1518.
4. Discharge by John of Barbon to the burgh from going to the Host and Raid, for the sum of £650 Scots. 31st August, 1522. Printed in *Descr. of Both Towns*, p. 63.
5. Factory and Commission by the burgh appointing the provost and certain burgesses to compare before arbiters appointed to judge between the burgh and the family of Leslie. 15th January, 152 $\frac{1}{2}$. Printed in *Descr. of Both Towns*, p. 63.
6. Letters patent by King James V., printed on p. 43, No. XXVII.
7. Letters by King James V., " 45, " XXVIII.
8. Factory and Commission by the burgh appointing the provost to compare before the King and Council to demand justice against Alexander Forbes of Burghis. 31st July, 1530. Printed in *Descr. of Both Towns*, p. 68.
- 8^a. Instrument of Sasine in favour of David Anderson, burgess, of an annual rent of forty shillings Scots from the Kilbanks croft. 7th May, 1532.
9. Instrument of Sasine in favour of Henry Irvine and Janet Collison on the said croft. 27th October, 1534.
10. Charter by John Collison to David Anderson of the said croft. 2nd June, 1536.

* A², 1500 to 1635.

11. Factory and Commission by the burgh appointing Commissioners to compare before the Auditors of Exchequer relative to the freedom of burgesses from custom on salmon. 12th September, 1537. Printed in *Descr. of Both Towns*, p. 70.
12. Factory and Commission by the burgh appointing the provost to meet at Dundee commissioners from Dundee, Montrose, St. Johns, and St. Andrews, relative to the conventions and staple at Campvere in Holland. 5th August, 1541. Printed in *Descr. of Both Towns*, p. 71.
13. Letters by Queen Mary, printed on p. 46, No. XXIX.
14. Charter by John Wod of Balbegno to Alexander Rutherford, burgess, of the tronatorship. 13th August, 1543.
- 14¹. Instrument of Sasine in favour of William, son of David Anderson (A² 8²), of the said annual rent. 25th June, 1547.
15. Factory and Commission by the burgh, appointing Commissioners for setting in feu the town's fishings on Dee and Don, under licence from Queen Mary (engrossed therein, and printed on p. 48, No. XXX.). 4th March, 155¹.
16. Feu Charter by the Provost, Baillies, etc., proceeding on the last and engrossed in the next. 12th September, 1553.
17. Charter by Queen Mary, printed on p. 52, No. XXXI.
18. Instrument of Resignation by the Gray Friars, printed on p. 332, No. XV.
19. Charter by King James VI., printed on p. 68, No. XXXII.
20. Precept of Sasine on last. 30th December, 1567.
21. Instrument of Sasine thereon. 22nd July, 1569.
22. Transumpt of A¹ 11, 15, 37; of licence engrossed in A² 15; of A² 16, 17; and of Town's Account rendered to Court of Exchequer in 1576: executed by James Makgill, Clerk Register, 17th June, 1577.
23. Petition by Burgh to King James VI. anent claim by George Auchinleck of Balmanno to the fishings of Don. Prior to 22nd June, 1580.
24. Notarial copy of the next.
- 24¹. Act of Privy Council, printed on p. 237, No. IX.
25. Printed copy of last.
26. Extract Acts of Council and Head Court interdicting neighbours from pursuing any actions, except in regard to Testaments, before the Commissary. 3rd April and 14th July, 1581.
27. Charter by King James VI., printed on p. 71, No. XXXIII.
28. Precept of Sasine on last. 26th October, 1583. Printed in *Descr. of Both Towns*, p. 76.

29. Instrument of Sasine thereon. 13th January, 158³₄.
30. Duplicate of last.
31. Another duplicate of same.
32. Decreet by Lords of Council and Session: Provosts, baillies, etc., against tenants of Black and of White Friars. 26th May, 1584.
33. Precept of Sasine by provost, baillies, etc., for infesting Patrick Jack in a third part of the Gray Friars Place. 5th December, 1584.
34. Extract Act of Council appointing a Committee to consider proposals from Alexander Rutherford anent the Tron, purchased from the laird of Balbegno by his grandfather. 8th October, 1585.
35. Extract of Indenture, printed on p. 345, No. XVIII.
36. Charter by King James VI. to George, Earl of Huntly, of the property of the Gray Friars of Aberdeen. 29th July, 1587. Cf. *Reg. Mag. Sig.*, vol. v., p. 445.
37. Signature by King James VI., printed on p. 88, No. XXXV.
38. Letters by King James VI., " 90, " XXXVI.
39. Letters by King James VI., " 92, " XXXVII.
40. Charter by James Settoun, burgess, to William Thomson, burgess, and Isobel Rolland, his spouse, of the Lochfield Croft. 18th May, 1593.
41. Letters of publication on A² 39. 31st December, 1593.
42. Discharge by Thomas Achesoun, Master Cunzeour to the King, for a payment from the Dean of Guild of 3585 merks Scots. 28th January, 159⁴₅.
43. Letters by King James VI., printed on p. 95, No. XXXIX.
44. Copy Summons, burgh against burgh of Old Aberdeen, anent dispute as to Marches. 27th April, 1594.
45. Lawburrows obtained against burgh by burgh of Old Aberdeen in same dispute. 4th June, 1594.
46. Discharge by King James VI. for sum of £7000 Scots paid by burgh towards expenses of baptism of Prince Henry. 5th June, 1594.
47. Extract discharge by King's Comptroller for sum of £1000 Scots paid by burgh towards his Majesty's tocher. 31st July, 1594.
48. Disposition by Sir John Carmichael to Robert Towse, burgess, of his right to the last payment. 31st July, 1594.
49. Licence by King James VI., printed on p. 94, No. XXXVIII.
50. Licence by Ludovick, Duke of Lennox, granting exemptions, in terms of the last. 13th December, 1594.
51. Act of Privy Council annulling exemptions from passing on assize. 5th March, 159⁶₇.

52. Letters by King James VI., printed on p. 97, No. XL.
53. Discharge by King James VI. for payment of 700 merks towards expenses of army. September, 1596.
54. Licence by King James VI., printed on p. 99, No. XLI.
55. Instrument of resignation, by Gilbert Menzies of Pitfoddels, to the burgh of the Upper and Nether and Justice Mills, with the multures, etc. 7th April, 1597.
56. Contract between Andrew Fraser of Stoneywood and the burgh, anent the marches betwixt Stoneywood and the freedom lands. 3rd August, 1597.
57. Commission by King James VI. appointing George Troup, burgess, his Commissioner for the shires of Aberdeen and Banff, for carrying out the Acts of Parliament anent metts, measures and weights. 10th August, 1599.
58. Copy, made about 1600, of A¹4.
59. Signature by King James VI. for next.
60. Charter by King James VI., printed on p. 100, No. XLII.
61. Precept of Sasine on last. 14th August, 1601.
62. Discharge by James Balfour for payment of £810, the price of 45 stand of burgess armour. 9th June, 1603.
63. Extract Act of Parliament, printed on p. 249, No. XIX.
64. Instrument of Sasine following on A² 61. 18th December, 1606.
65. Duplicate of last.
66. Extract Decreet by Lords of Council and Session anent Litsters of Aberdeen. 17th July, 1611.
67. Catalogue of Register and Court Books of Aberdeen. January, 1613.
68. Extract Submission and Decreet Arbitral anent King's customs and imposts on wines. 14th December, 1613.
69. Contract, burgh with Thomas Watson, mason, Old Rayne, for building a prison. 20th and 24th February, 1616.
70. Extract Act of Parliament, printed on p. 250, No. XXI.
71. Duplicate of last.
72. Charter by King James VI., printed on p. 110, No. XLIII.
73. Precept of Sasine on last. 17th July, 1617.
74. Instrument of Sasine thereon. 8th August, 1617.
75. Duplicate of last.
76. Contract, printed on p. 360, No. XX.
77. Mass of Writs (8) relating to the Tron, of dates from 1st June, 1601 to 16th September, 1617: the last printed on p. 363, No. XXI.

78. Instrument of Institution of Mr. James Sibbald as Minister of the Church of Aberdeen. 11th March, 1627.
79. Mass of Writs (19) relating to the Cran, of dates from 16th June, 1604 to 16th June, 1629: the last printed on p. 366, No. XXII.
80. Transumpt of Instrument of Resignation (27th January, 1503), by Sir John Rutherford to the Provost, of the right of patronage of the Altar of St. Michael in the Church of St. Nicholas. 4th Aug., 1629.
81. Mass of Writs (5) relating to the burgh's privileges of Markets following up A¹ 4, of dates from 25th September, 1617, to 15th July, 1630.
82. Extract Act of Parliament, printed on p. 255, No. XXIII.
83. Copy Patent by Earl of Linlithgow, High Admiral, constituting Provost and Baillies Depute-Admirals within the burgh, port and harbour, and between the rivers Dee and Don. *Circa* 1630.

A². BURGH CHARTERS.

1. Decreet by Privy Council annulling election of Magistrates for year 1635-6; and letters following thereon. 26th January, 1636.
2. Mass of Discharges (21) for Taxations, &c., of dates from 16th June, 1601, to 25th July, 1636.
3. Two copies of Signature by King Charles I. for next.
4. Charter by King Charles I., printed on p. 155, No. XLVI.
5. Notarial copy of last, and of Sasine following thereon. 31st October, 1638.
6. Extract Patent by Duke of Lennox, High Admiral, in like terms to A, 83. 11th November, 1641.
7. Copy of last.
8. Extract Act of Parliament, printed on p. 258, No. XXV.
9. Duplicate of last.
- 9². Copy Precept by King Charles I., „ 201, „ XLVIII.
10. Extract Act of Parliament, „ 262, „ XXIX.
11. Extract Act of Parliament, „ 264, „ XXX.
12. Copy of last.
13. Signature by King Charles II., „ 204, „ XLIX.
14. Letter from King Charles II. to Commissioners of Excise, anent continuance of Act A² 11.
15. Extract Act of Parliament, printed on p. 269, XXXIV.
16. Patent of Admiralty, by Sir Alexander Keith of Ludquharn, Admiral-Depute. 16th December, 1665. *Cf.* A² 6.
17. Copy Signature of King Charles II., printed on p. 205, No. L.

* A², 1635 downwards.

DDD

18. Mass of Inventories (7) of Town's Writs, "sichtit be the Provost and Baillies". 6th June, 1667.
19. Decreet by Court of Session in process between burgh and burgh of Old Aberdeen. 14th February, 1669.
20. Extract Act of Town Council anent sale of fish in Castlegate. 5th May, 1669.
21. Extract Act of Town Council anent burials. 1st June, 1672.
22. Nomination by Council of Mr. Patrick Sibbald as Minister of St. Nicholas. 25th June, 1673.
23. Extract Act of Town Council depriving Thomas Leslie, merchant burgh, of his freedom. 7th January, 1674.
24. Matriculation of Arms, printed on p. 380, No. XXIV.
25. Emblazonment, of which representation faces p. 380.
26. Decreet by Court of Session in action, burgh against burgh of Old Aberdeen. 9th January, 1675.
27. Extract Contract between Magistrates and King's College anent patronage of Kirk of Newhills. 27th January and 7th February, 1676.
28. Commission by Earl of Kincardine, Vice-Admiral, constituting Provost and Baillies Depute-Admirals between waters of Dee and Ythan. 12th May, 1677.
29. Letters by King Charles II., printed on p. 207, No. LI.
30. Commission by Marquis of Athol, Vice-Admiral, constituting Provost and Baillies Depute-Admirals between waters of Cowie and Ythan. 8th August, 1680.
31. Extract Act of Parliament, printed on p. 272, No. XXXIX.
32. Copy of last.
33. Printed copy of Act of Privy Council, printed on p. 274, No. XL.
34. Contract, Burgh with John Montgomerie, mason, for building Market Cross. 27th January, 1686.
35. Extract Act of Parliament, printed on p. 275, No. XLI.
36. Extract Discharge by George M'Kenzie, Stonehaven, to Burgh of all inland excise due to his father. 12th January, 1692.
37. Account of Pollable Persons within burgh, conform to Act of Parliament. August and September, 1694.
38. Extract Act of Parliament, printed on p. 276, No. XLII.
39. Commission by Commissioners of Admiralty appointing Provost and Baillies Admirals Depute between Dee and Don. 27th January, 1696.
40. Do., but between Cowie and Ythan. 14th April, 1697.

41. Deputation by Clerk of Admiralty nominating Town Clerks of Aberdeen to be Depute-Clerks of Admiralty from Cowie to Ythan. 22nd May, 1697.
42. Deputation by Clerk of Admiralty nominating Town Clerk as above. 30th December, 1704.
43. Contract, Treasurer and Thomas Forster, plumber, burgess of Edinburgh, anent bringing in water to burgh. 11th and 17th April, 1706.
44. Extract Act of Parliament, printed on p. 279, No. XLIV.
45. Protest by Sir Thomas Burnet of Leys anent punishment of illegal salmon fishers in Dee and Don. 26th September, 1707.
46. Extract Tack, Burgh to Alexander Moir and James Fyff, of burgh mussel scalps. 23rd August, 1708.
47. Act of Adjournal of Justiciary Court, anent a claim by Magistrates for freedom from attendance on assizes and inquests. 12th Oct., 1708.
48. Deputation by Earl of Wemyss, Vice-Admiral, appointing Provost and Baillies Depute-Admirals between Port Leviathan and River Don. 17th March, 1709.
49. Decreet of Burgh Court anent searching town's cellars for French wines. 12th July, 1709.
50. Disposition by Earl of Wemyss, Vice-Admiral, to Provost of his right to wrecked goods cast in on the bay of Aberdeen or sands of Belhelvie. 24th February, 1710.
51. Do. of his right to brandy cast in within privileges of Arbroath. 24th February, 1710.
52. Contract, Burgh with John Gordon in Corfity, anent his salary as Chamberlain. 25th May, 1711.
53. Contract, Burgh with William Lindsay, goldsmith, anent his salary as Overseer of Public Works. 25th June, 1714.
54. Extract Contract; Burgh with craftsmen thereof, anent burial lairs and mort cloths. 19th December, 1647: registered in Baillie Court Books, 11th March, 1715.
55. Decreet by Court of Session anent power of Magistrates to regulate burials. 28th July, 1716.
56. Act of Adjournal of Justiciary Court anent claim by Magistrates for freedom from attendance on assizes, etc. 11th May, 1721.
57. Mass of "States" of the burgh (16), of dates from Michaelmas, 1696, to Michaelmas, 1721.
58. Obligation by Patrick Duff of Premnay anent gates for riding town's marches. 21st September, 1726.

59. Deputation by Duke of Queensberry, Vice-Admiral, appointing Colonel John Middleton of Seton Admiral from Bervie to Fraserburgh, except Slains. 13th September, 1727.
60. Do. appointing Provost and Baillies Admirals as above. 16th January, 1728.
61. Contract, Burgh and feuars of adjacent lands, anent cleaning streets of town. 28th February, 1728.
62. Substitution by Colonel John Middleton of the Provost and Baillies in Deputation, A^o 59. 29th November, 1729.
63. Contract, Dean of Guild and William Durward, anent town's dung. 24th November, 1736.
64. Extract Assedation, Treasurer to George Linton, horsehirer, of casualties of horsehiring. 15th May, 1735.
65. Commission by Earl of Findlater, Vice-Admiral, appointing Provost and Magistrates Depute-Admirals, as in A^o 60. 21st June, 1738.
66. Commission from H.R.H. Duke of Cumberland, appointing interim Magistrates. 8th April, 1746.
67. Warrant from Privy Council sanctioning election of new Town Council. 16th June, 1746.
68. Double of Valuation of tenements and houses in burgh in *anno* 1746.
69. Contract, Treasurer and John Middleton of Seaton, anent road to north of Don, and containing lease of anchorage and shore dues of vessels in mouth of Don for 45 years. 26th November, 1756.
- 69^a. Instrument of Resignation on disposition by George Skene of Rubislaw to burgh of Horpletilam Park of Rubislaw, and stone quarry therein. 7th December, 1757.
- 69^b. Contract, Treasurer and George Moir of Scotstown, anent march between Spittal lands and Old Town Links. 7th April, 1759.
70. Instrument of Resignation on disposition by George Skene to burgh of part of lands of Rubislaw south of the Denburn. 8th Oct., 1760.
71. Commission by Earl of Findlater, Vice-Admiral, appointing Provost and Magistrates Depute-Admirals from Kinneff to Fraserburgh, except Slains. 20th July, 1761.
72. Mass of Writs (8) relating to Earl Marischal's lodging in Castlegate, of dates from 5th June, 1600 to 2nd July, 1766.
73. Commission by Earl of March, Vice-Admiral, in same terms as A^o 71. 12th September, 1768.
74. Discharge, Managers of Infirmary to burgh, of management of funds prior to date of Royal Charter. 26th July, 1775.

- 75. Commission by Earl of Breadalbane, Vice-Admiral, appointing Provost and Baillies Admiral-Deputes from Whistleberry to Ythan. 30th November, 1776.
- 76. Commission by Lord William Gordon, Vice-Admiral, in same terms as last. 31st October, 1782.
- 77. Commission by Lord Cathcart, Vice-Admiral, in same terms as last. 26th May, 1796.
- 78. Writs of present century.

A⁴. TENEMENTS IN TOWN.

- 1-12. Writs relating to various tenements in town, dating from 23rd September, 1612, to 28th October, 1864.*

A⁴. DECREETS.

- 1-12. Decrees of Declarator, &c., dating from 21st July, 1718, to 1845.

B. BETHELNIE.

- 1-13. Writs relating to the lands of Bethelnie, dating from 22nd July, 1675, to 24th November, 1796.†

B. BOGFAIRLY.

- 1-49. Writs relating to the lands of Bogfairly, dating from 13th May, 1511, to 24th November, 1757.‡

* There is also a Chest containing about nine cubic feet of uncatalogued writs relating to tenements that came into the possession of the Burgh at the time when the New Streets (Union Street, King Street, &c.) were opened up.

† The lands of Bethelnie were disposed to the Master of Mortifications by John Urquhart of Meldrum in payment of £4892 15s. Scots due to Dr. Guild's Mortification, and £2428 7s. Scots due to Catherine Rolland's Mortification, 14th May, 1712. The Disposition is now awaiting. The lands were again feued to the Urquharts for a feuduty of £390 11s. 4d. Scots.

‡ The lands of Bogfairly, part of the old patrimony of the town, were feued out, 18th July, 1552, under the licence by Queen Mary (see p. 48) to Thomas Menzies of Pitfoddels, for a feuduty of £3 18s. 8d. They ultimately came into the hands of George Davidson of Pettens, who mortified them for the support of a minister in Aberdeen, 12th March, 1662; and were again feued for behoof of the Mortifications, the Articles of Roup dating 25th August, 1756.

C¹. CAPRASTON.

- 1-19. Writs relative to the lands of Capraston. 18th March, 156¹, to 16th September, 1658.*

C¹. CHAPLAINS.

Writs relative to Feuduties† of the Chaplains of the Church of St. Nicholas.

1. Charter by John de Kyngorne, Vicar, to Vicar and Chaplains, of three feuduties, 4th February, 143⁸. Printed in *Cartularium Ecclesie Sancti Nicholai* (New Spalding Club), i., p. 113.
2. Charter by Mathew Fechat, burgess, to Chaplains of Altar of St. Michael, of sundry feuduties. 18th July, 1462. Printed in *Cart. Ecd. S. Nich.*, i., p. 87.
- 2¹. Charter by William Scherar, burgess, to Chaplain and Altar of St. Duthac, of two pieces of ground and sundry feuduties, for benefit of chaplains. 31st July, 1464. Printed (in part) in *Cart. Ecd. S. Nich.*, i., p. 19.
3. Charter by John Knollis, burgess, to Chaplains of Altar of St. John the Baptist, of two feuduties. 9th October, 1486. Printed in *Cart. Ecd. S. Nich.*, i., p. 83.
4. Charter by Mariot Bynzie to Richard Crawford of a tenement burdened with a feuduty, to Chaplain of Altar of the Virgin. 24th April, 1487.
5. Sasine to David Waus, Vicar of Banff, of a feuduty from a tenement belonging to John Menzies. 3rd February, 148⁸.
6. Sasine to Andrew Liel, Treasurer, of a feuduty from lands belonging to William Kintor, burgess. 16th August, 1491.
7. Charter by John Knollis, burgess, to John Knollis, his son, of the patronage of the Altar of St. John the Baptist. 16th September, 1492.
8. Instrument of Possession to Mathew Nicholson, Chaplain of Altar of St. Peter, of a tenement in security for a feuduty. 15th April, 1493.
9. Charter by Andrew Gray, Chaplain of Altar of Michael the Archangel, to Curate and Chaplains, of two feuduties. 21st October, 1493.
10. Sasine to Chaplains of a feuduty from lands belonging to John Litster, burgess. 23rd October, 1498.

* These lands were purchased from Alexander Forbes, burgess, for sum of 2500 merks Scots, 7th November, 1595, and sold to Dr. John Gordon in 1722.

† See grants of these to the Burgh, pp. 75, 103, 107, 122, 134, 162, 178, 199, 248, 258, 335.

11. Instrument of Possession to Sir John Prat, Chaplain of Altars of Holy Cross and of St. Thomas and George the Martyr, of a waste land, in security for two feuduties. 8th January, 150³.
12. Charter by Malcolm Crag, burgess, to Mr. William Strathachin, Rector of St. Mary ad Nives, of a feuduty from his lands. 5th June, 1505.
13. Sasine to Sir John Striueling, Chaplain of Altar of St. Catharine, of two feuduties from lands belonging to John Cullane, burgess. 20th June, 1505.
14. Sasine to Sir John Reid, Chaplain of Altar of St. Christopher, of two feuduties from tenements belonging to Walter Atkin and Patrick Nicholson. 3rd November, 1505.
15. Charter by Alexander Matheson, burgess, Patron of Altar of St. Christopher, to Chaplains thereof, of three feuduties, for performance of usual services. 18th February, 150⁶₇.
16. Sasine thereon. 11th February, 150⁸.
17. Sasine to Mr. John Fleshear, Chancellor of Aberdeen, of part of a tenement belonging to Christina Blinseill. 11th July, 1516.
18. Instrument of Resignation by Sir Thomas Ury, Chaplain, to Chaplains of Altar of Virgin and St. Joseph, of a tenement, for performance, etc. 16th May, 1518.
19. Sasine to Sir John Waus, Chaplain of Altar of Jesus, of tenement belonging to John Arthour. 14th August, 1520. Printed in *Cart. Eccl. S. Nich.*, i., p. 144.
20. Charter by John Collison, burgess, to Curate and Chaplains of Choir of sundry tenements, for performance, etc. 5th October, 1520.
21. Sasine thereon.
22. Sasine on resignation by Mr. John Cuming, Canon of Cathedral, to Andrew Stratoun, burgess, of a tenement. 15th November, 1521.
- 22². Sasine in favour of Chaplains of Choir, of a feuduty. 8th March, 152².
23. Sasine on resignation by William Crag, to Curate and Chaplains, of a feuduty. 1523.
24. Sasine on resignation by Thomas Chalmer, Chaplain of Altar of Virgin, to Vicar and Chaplains of Choir, of a tenement. 13th July, 1527.
25. Sasine on resignation by John Neilson, to Curate and Chaplains of Choir, of a feuduty. 6th November, 1531.
26. Charter, Andrew Durty, burgess, to Curate and Chaplains, of a tenement in security for a feuduty, 31st March, 1533.

27. Charter by John Collison, burgess, to Sir William Coupar, Chaplain, of a feuduty. 27th February, 153⁴.
28. Sasine on resignation by Walter Howeson, burgess, to said Sir William Coupar, of a feuduty. 17th March, 153⁴.
29. Sasine on resignation by John Murray, burgess, to Curate and Chaplains, of a feuduty. 24th Nov., 1535.
30. Copy Charter, by David Anderson, burgess, to Curate and Chaplains, of a feuduty. 27th May, 1536. Printed in *Cart. Ecd. S. Nick.* i., p. 172.
31. Sasine on resignation by Sir Andrew Scherar, Vicar of Nigg, to George Scherar, burgess, of a feuduty. 18th January, 153⁶.
32. Charter, by Andrew Murray, burgess, to Curate and Chaplains, of a feuduty. 21st Oct., 1537.
33. Charter by Thomas Chalmer, Chaplain of Altar of Virgin, to Henry Marchand, burgess, of a tenement for payment of a feuduty. 13th March, 153⁸.
34. Charter by John Mair, burgess, to Chaplains of Choir, of two feuduties. 26th March, 1538.
35. Instrument of Possession to Sir Robert Spark, Chaplain of Altar of St. Duthac, of a waste land in security of a feuduty. 31st January, 154⁰.
36. Sasine on precept of Clare Constat, by Mr. Robert Smith, Collector for Vicars and Chaplains, in favour of John Gordon, in Myltoun, of sundry crofts. 16th July, 1548.
37. Charter by Vicars of Choir, to Sir Andrew Jaffray, Chaplain of Choir, of a piece of ground for a feuduty. 25th December, 1552.
38. Sasine thereon.
39. Charter by Sir Alexander Robertson, Chaplain, to Chaplains of Choir, of a feuduty. 19th April, 1554.
40. Copy Retour of whole Church lands within shire of Kincardine. 4th March, 155⁴.
41. Presentation by Elizabeth Pratt of Sir William Walcar as Chaplain of Altar of St. Thomas. 1st August, 1560.
42. Register of Baillie Court Decrees for unpaid feuduties of Chaplains. 9th June, 1546, to 20th August, 1576.
43. Charter by Mr. Alexander Wrycht, Chaplain of Altar of Jesus, to John Burnett, burgess, of a tenement for feuduties to said Altar, and to Chaplains of Choir. 30th April, 1578.

44. Sasine thereon.
45. Charter by John Cheyne of Tilliebourie, to Alexander Cheyne, his son, of the patronage of the Altar of St. Martin. 13th September, 1581.
46. Institution, by Andrew Scherar, burgess, of William Scherar, his son, to the Altar of St. Duthac. 23rd April, 1585.
47. Inventory of Writs of lands and feuduties belonging formerly to Chaplains and now to burgh. 24th May, 1593.
48. Sasine to William Knowis, burgess, and resignation by the same to George Knowis, his brother, of patronage of Altar of John the Baptist. 17th April, 1599.
49. Decreet before Commissary, burgh agt. Alexander Keith of Balmuir, for a feuduty. 3rd December, 1602.
50. Inventory of Writs of Chaplains. 3rd May, 1622.
51. Inventory of Writs of Black Friars of Aberdeen, taken away in 1559, and restored 23rd December, 1625.
52. Petition to Town Council, by William Scherar, demitting his rights to Altar of St. Duthac. 17th March, 1630.
53. Summons by burgh for a feuduty granted 9th April, 1378, for supporting Calsey at Cowie Month. 14th June, 1630.

C². CHURCH AND BRIDGE WORKS.

- 1-15. Writs relating to Ducat Croft. 31st January, 1609, to 28th June, 1804.
- 1-11. Miscellanea. 4th March, 1584, to 13th November, 1813.
- 1-13. Writs relating to South Church. 17th July, 1778, to 11th December, 1828.

C³. COLLEGE.

1. Marischal College. Charter of Novodamus, by William Earl Marischal. 7th October, 1623.
2. Contract, burgh and Robert Downy, librarian-nominate of Mar. Coll. 8th February, 1632.
3. Contract between the same. 3rd August, 1652.
4. Contract between the same. 14th November, 1659.
5. Act of Council nominating David Gregorie librarian. 4th November, 1663.
6. Copy Contract following thereon. 1664.
7. Mass of Writs (10) relative to process between burgh and college anent patronage of libarianship. Of dates from 5th January, 1674, to 18th June, 1675.
8. Contract, burgh and college, anent Reid's mortification. 3rd May, 1707.

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9. Discharge by college for payment of twenty guineas towards purchase of philosophical instruments. 28th April, 1727.
10. Copy Articles of Union between King's and Marischal Colleges. 8th November, 1754.
11. Extract Decreet Arbitral by Earl of Findlater anent Union. 21st March, 1755.
12. Duplicate of last.

D. DEAN OF GUILD.

- 1-7. Writs relative to the Dean of Guild. 11th December, 1725, to 14th September, 1801.

E¹. EASTER ECHT.

- 1-30. Writs relative to the lands of Easter Echt, dating from 11th May, 1629, to 21st September, 1764.*

E². ELSICK.

- 1-25. Writs relative to the lands of Elsick, dating from 4th October, 1387, to 12th February, 1812.†

F. FERRYHILL.

- 1-73. Writs relative to the lands of Ferryhill, dating from 30th March, 1543, to 17th September, 1744. No. 67 is printed on p. 373, No. XXIII., and No. 68 on p. 148, No. XLV.‡

G. GILCOMSTON.

- 1-74. Writs relative to the lands of Gilcomston, dating from 28th May, 1541, to 21st September, 1814.§

K¹. KINMUNDY.

- 1-26. Writs relative to lands of Kinmundy, dating from 15th December, 1665, to 28th July, 1824.||

* Purchased by George Mowat, Dean of Guild, from Dr. James Gregory, 28th June, 1727, and conveyed by Town to Collector of Kirk Session in terms of Decreet Arbitral dated 29th March, 1788.

† The Superiority purchased for behoof of Guild Brethren's Hospital from Sir Alex. Bannerman, 1754.

‡ Mortified by Dr. Patrick Dun for the maintenance of four masters of the Grammar School. 3rd August, 1631.

§ Purchased by the Treasurer from Gilbert Menzies of Pitfoddels, for sum of 26,000 merks. 8th June, 1680. Feued out 1749 and subsequently.

|| Purchased from Robert Menzies of Kinmundy for behoof of Guild Brethren's Hospital 12th February, 1730, and feued out. Articles of Roup dated 14th August, 1749.

K². KIRKHILL.

1-32. Writs relative to lands of Kirkhill dating from 31st March, 1550, to 13th November, 1754.*

M¹. MORTIFICATIONS (1st Division).

- 1-3. Sir Alexander Hay, for support of Bridge of Don. 1st February, 1605, to 9th July, 1606. No. 1 is printed on p. 351, No. XIX., and No. 3 on p. 250, No. XX.
- 4, 5. John Johnston, for a bursary in Marischal College. 9th July, 1611, to April, 1633.
6. Duncan Liddell, for bursaries; v. *infra* p. 405, Note §.
7. James Cargill, for a bursary. 13th March, 1616.
- 8, 9. Alexander Irvine of Drum, for a bursary. 26th December, 1629, to 25th May, 1649.
10. Catharine Rolland, for a bursary. 9th December, 1659.
11. James Milne, " 2nd June, 1677.
12. John Turner, " 1st September, 1704.
13. Bishop Gilbert Burnet, " 24th October, 1711.
14. Rev. Alexander Smith, " 11th December, 1749.
15. Alexander Cullen, for Parish Church. 20th August, 1584.
- 16, 20, 21. James Rolland, for Futtie Church. 1st September, 1631, to 15th August, 1633.
- 17, 18. Thomas Gray, " 20th May, 1633.
19. Andrew Meldrum, " 20th May, 1633.
22. George Davidson, for Churches of Aberdeen and Newhills, etc. 7th May, 1663.
- 23-25. James Rolland, for a seat and burial lair in Town Kirk. 4th July, 1660, to 31st May, 1722.
26. Alexander Massie, for Church of St. Nicholas, Trades Hospital, etc. 15th April, 1740.
27. Duncan Liddel, for Chair of Mathematics in Marischal College. 9th December, 1613.
- 28-31. Patrick Copland, for Chair of Divinity in Marischal College. 27th January, 1616, to 21st December, 1625.

* Purchased, for sum of £870 sterling, from Colin Campbell, younger, son of Rev. Colin Campbell, Minister in Aberdeen, for behoof of the Six Mortifications (see p. 406, Note †), 13th November, 1754, and feued out in 1786.

- 32, 33*. Dr. William Guild, for an entrance to Marischal College. 11th March,
9th April, 1633.
- 34, 35. Bessy Lowson, for Secretary Reid's mortification. 12th August,
5th September, 1633.
36. Charter by Dr. Patrick Dun, printed on p. 373, No. XXIII.
37. George Robertson, for a bursar at Grammar School, etc. 26th October, 1644.
38. Baillie Robert Cruickshank, to Guild Box. 25th December, 1663.
39. Robert Cruickshank of Banchory, „ 18th March, 1715.
- 40, 41. Alexander Ritchie, „ 5th January, 1734, to 21st
June, 1766.
42. Mass of Writs (19) anent Chaplains' feu-duties out of lands in Inverury,
Essintully, and Findon, granted to burgh by A^s 27, 60, 72, and A^s 4,
and mortified by burgh to St. Thomas' Hospital (19th August, 1575):
dating from 27th April, 1475, to 2nd July, 1600.
43. Walter Wischert, to ditto. 20th August, 1601.
44. James Mowat, to ditto. 6th December, 1619.
45. George Currou, to ditto. 25th July, 1622.
46. John Fraser, to ditto. 11th January, 1754.
47. William Gerard, to ditto. 2nd July, 1767.
48. Mrs. Ann White, to ditto. 8th December, 1785.
49. Petition by Ann Cruden relative to ditto. 11th December, 1792.
50. Mrs. Mary Playfair, to Unmarried Women. 30th January, 1869.
51. Provost William Leslie, for support of his tomb. 13th June, 1882.

M¹. MORTIFICATIONS (2nd Division).

- 1, 2. Lady Drum's, for poor widows and virgins. 26th May, 1633, to
25th April, 1641.
3. Agnes Durie (?) to Lady Drum's Hospital. 8th June, 1721.
- 4, 5. Writs relative to ditto. 5th May, 1798, to 18th June, 1807.
6. Lady Fraser of Durris, for various purposes. 23rd August, 1753.
- 7, 8. Robert Gordon, for a Hospital. 13th December, 1729.
9. Jean Guild, for poor widows and virgins. 24th December, 1634.
10. Jean Guild, for orphans (Black Friars Manse). 15th and 17th March, 1649.
- 11, 12. Masses of Writs (29) relative to last mortification. 29th August,
1618, to 9th September, 1675.
- 13, 14. Charter and Sasine by Marischal College, for purposes thereof. 9th
September, 1675.

* The greater portion of Nos. 4 to 14 and 27 to 33 will be found printed in the *Fasti Academiae Mariscallanae* (New Spalding Club).

- 15, 16. Robert Johnstone, for the poor. 29th January, 1640.
 17. John Kemp, for a school. 3rd April, 1713.
 18. James Milne, for widows of burgesses. 2nd June, 1677.
 19, 20. John Rickart, for support of his tomb, etc. 20th October, 1740,
 and 3rd December, 1744.
 21. Lady Rothiemay, for a schoolmistress. 4th June, 1642.
 22. Isobel Tosh, for the poor, etc. 6th June, 1624.
 23. Decreet Arbitral anent purchase of lands of Muchals by Master of Mortifications. 30th July, 1761.
 24-39. George Taylor, for decayed master tradesmen. 13th July, 1839.

M¹. MURTLE.

- 1-50. Writs relative to the lands of Milltoun of Murtle. 26th September, 1550, to 5th August, 1797.*
 1-7. Writs relative to lands of Southfield of Murtle. 15th July, 1612, to 24th September, 1650.†
 1-13. Writs relative to the lands of Murtle. 1551 to 6th June, 1798.‡

P¹. PETTANS.

- 1-13. Writs relative to the lands of Pettans, mortified by George Davidson for payment of a stipend to a minister (12th March, 1662) v "Bogfairly". 6th October, 1643, to 28th June, 1756.

P². PITMEDDEN.

- 1-8. Writs relative to lands of Pitmedden. 12th June, 1612, to 9th May, 1775.§
 No. 4^a is printed on p. 141, No. XLIV.

S¹. SHETTOCKSLEY.

- 1-54. Writs relative to the lands of Shetocksley. 3rd March, 154⁷, to 9th June, 1762.||

* Mortified for sundry purposes by Catherine Rolland (9th December, 1659); and feued: Articles of Roup dated 5th August, 1797.

† Mortified and feued as above.

‡ Purchased by the Master of Mortifications from Alexander Irvine of Murtle. 26th August, 1758, and feued: Articles of Roup dated 7th April, 1759.

§ Mortified (12th June, 1612) for support of Bursars at Marischal College by Dr. Duncan Liddell; and feued: Articles of Roup dated 14th August, 1749.

|| Part of the original patrimony of the burgh, feued, under Queen Mary's licence, 8th July, 1557, to Gilbert Tullideff. Purchased by Dean of Guild for behoof of Guild Wine Fund, from James Burnet, 21st September, 1677, and feued out 10th September, 1702. Repurchased by Treasurer from Jean Erskine, for sum of £1250, 10th September, 1759, and finally feued to James Young in 1767.

S². SKENE.

1-106. Writs relative to the lands of Easter Skene. 14th January, 1553³ to 26th April, 1825.*

T¹. TORRY.

1-49. Writs relative to the lands of Torry. 15th April, 1512, to 3rd March, 1619.

T². TORRY.

1-55 Writs relative to the lands of Torry. 15th July, 1620, to 8th February, 1883.† No. 40 is printed on p. 222, No. LIV.

T³. TEINDS.

1-26. Writs relative to the Teinds of St. Nicholas. 12th April, 1570, 22nd June, 1774.‡ No. 11 is printed on p. 199, No. XLVII.; No. 12 on p. 258, No. XXV.; No. 14 on p. 211, No. LII.; and No. 18 on p. 216, No. LIII.

* First portion purchased by the Dean of Guild from Alexander Maitland of Pittrichie, 29th May, 1710; second portion from David Young Baillie of Brechin, 16th May, 1712. Feued in 1788 and subsequently.

† Purchased by the Master of Mortifications from Sir William Forbes of Monymusk, for behoof of Six Mortifications Nos. 7, 27, 28, etc. See p. 403. Resignation dated 12th January, 1705. Feued out in 1786.

‡ Came into town's possession under Charters XLVI. and LIII., by Charles I. and George II. (see pp. 155, 216). Let to the heritors in tacks of 19 times 19 years, from Whitsunday, 1744.

TOWN COUNCIL REGISTER.

(Containing proceedings of the Council, the Baillie, Guild, and Head Courts).*

Fragment (parchment roll).† 1317.

Vol. I. Michaelmas, 1398, to 18th April, 1407. 328 pp.

II. Michaelmas, 1408, to September, 1414. 219 pp.

III. Missing.

IV. 11th January, 1433, to 28th February, 1447. 522 pp.

V. 1st April, 1448, to 27th August, 1468. 644 pp.

V. 30th September, 1441, to 26th April, 1465. 206 pp.‡

VI. 14th November, 1466, to 30th December, 1486. 985 pp.§

VII. 1st February, 1486, to 25th September, 1501. 1123 pp.

VIII. 4th October, 1501, to 13th November, 1509. 1211 pp.

IX. 20th July, 1511, to 18th December, 1517. 783 pp.

X. 4th October, 1518, to 23rd December, 1521. 396 pp.

XI. 23rd December, 1521, to 14th May, 1526. 722 pp.

XII. — July, 1526, to 28th September, 1528. 419 pp.

XII. 5th October, 1528, to 16th September, 1530. 464 pp.

XIII. 3rd October, 1530, to 26th September, 1532. 523 pp.

XIV. 30th September, 1532, to 11th September, 1535. 630 pp.

XV. 4th October, 1535, to 17th September, 1538. 738 pp.

XVI. 30th September, 1538, to 26th September, 1541. 887 pp.

* See *Extracts from the Council Register of the Burgh of Aberdeen* (Spalding Club), vol. i., 1398-1570; vol. ii., 1570-1625; *Ibid.* (Burgh Records Society), vol. i., 1625-1642; vol. ii., 1643-1747. The matter contained in the 1537 printed pages of these four volumes is probably only about one thirtieth of the contents of the 50,081 pages of the Council Register for the period 1398-1747. According to a Report by Mr. P. J. Anderson, submitted to the Council, 3rd May, 1886, the number of references requisite for a thoroughly satisfactory index (of subjects, names of persons, and names of places) to the 68,140 pages of the MS. Register 1398-1884, would be not less than one million and a-half.

† Printed *in extenso* in Spalding Club *Miscellany*, vol. v., p. 1.

‡ This volume contains only Guild Court proceedings.

§ From 1466 to 1468 the entries have reference to Guild Court proceedings.

- XVII. 7th October, 1541, to 26th October, 1543. 631 pp.
 XVIII. 29th October, 1543, to 23rd January, 1545. 596 pp.
 XIX. — January, 1545, to 27th February, 1547. 480 pp.
 XX. 9th April, 1548, to 3rd June, 1551. 573 pp.
 XXI. 17th July, 1551, to 8th March, 1554. 866 pp.
 XXII. 15th March, 1554, to 5th August, 1558. 821 pp.
 XXIII. 8th August, 1558, to 8th August, 1560. 338 pp.
 XXIV. 30th September, 1560, to 15th June, 1563. 706 pp.
 XXV. 28th June, 1563, to 28th September, 1565. 685 pp.
 XXVI. 1st October, 1565, to 16th February, 1568. 709 pp.
 XXVII. 18th February, 1568, to 27th March, 1573. 849 pp.
 XXVIII. 3rd April, 1573, to 25th September, 1576. 806 pp.
 XXIX. 1st October, 1576, to 15th January, 1578. 890 pp.
 XXX. 15th January, 1578, to 27th October, 1582. 735 pp.
 XXXI. 29th October, 1582, to 26th February, 1585. 744 pp.
 XXXII. 25th February, 1585, to 14th February, 1588. 644 pp.
 XXXIII^a. 13th January, 1588, to 3rd December, 1590. 889 pp.
 XXXIII^b. 4th December, 1590, to 28th February, 1592. 512 pp.
 XXXIV^a. 1st October, 1591, to 25th September, 1593. 513 pp.
 XXXIV^b. 2nd October, 1592, to 25th September, 1593. 452 pp.
 XXXV. 26th September, 1593, to 25th September, 1594. 421 pp.
 XXXVI^a. 25th September, 1594, to 26th September, 1597. 773 pp.
 XXXVI^b. 28th September, 1597, to 1st March, 1598.* 89 pp.
 XXXVII. 28th September, 1597, to 27th September, 1598. 906 pp.
 XXXVIII. 27th September, 1598, to 24th November, 1599. 989 pp.
 XXXIX. 26th November, 1599, to 5th June, 1601. 1073 pp.
 XL. 5th June, 1601, to 18th February, 1603. 1096 pp.
 XLI. 22nd February, 1603, to 5th January, 1605. 1032 pp.
 XLII. 8th January, 1605, to 7th February, 1607. 1140 pp.
 XLIII. 7th February, 1607, to 29th July, 1609. 1151 pp.
 XLIV. 1st August, 1609, to 9th July, 1611. 1138 pp.
 XLV. 10th July, 1611, to 7th January, 1613. 904 pp.
 XLVI. 12th January, 1613, to 14th November, 1614. 887 pp.
 XLVII. 15th November, 1614, to 30th December, 1616. 840 pp.
 XLVIII. 1st January, 1617, to 17th October, 1618. 552 pp.

* Council proceedings only.

- XLIX. 20th October, 1618, to 18th May, 1621. 940 pp.
L. 19th May, 1621, to 8th June, 1624. 939 pp.
LI^a. 25th September, 1622, to 1st September, 1630. 583 pp.
LI^a. 11th June, 1624, to 12th March, 1629. 1038 pp.
LI^a. 13th March, 1629, to 14th June, 1634. 850 pp.
LII^a. 22nd September, 1630, to 19th June, 1644. 838 pp.
LII^a. 17th June, 1634, to 24th December, 1639. 919 pp.
LIIP^a. 26th June, 1644, to 24th November, 1658. 644 pp.
LIIP^a. 7th January, 1640, to 26th April, 1648. 939 pp.
LIV. 1st December, 1658, to 27th February, 1667.* 735 pp.
LV. 6th March, 1667, to 10th February, 1675. 644 pp.
LVI. 17th February, 1675, to 12th July, 1682. 669 pp.
LVII. 19th July, 1682, to 20th December, 1704. 897 pp.
LVIII. 1st January, 1705, to 23rd September, 1721. 720 pp.
LIX. 27th September, 1721, to 18th September, 1728. 450 pp.
LX. 25th September, 1728, to 12th September, 1741. 726 pp.
LXI. 23rd September, 1741, to 18th September, 1753. 724 pp.
LXII. 24th September, 1753, to 11th October, 1763. 732 pp.
LXIII. 26th October, 1763, to 21st September, 1773. 458 pp.
LXIV. 22nd September, 1773, to 9th September, 1782. 512 pp.
LXV. 17th September, 1782, to 10th May, 1788. 464 pp.
LXVI. 3rd June, 1788, to 9th October, 1793. 518 pp.
LXVII. 29th October, 1793, to 21st May, 1800. 526 pp.
LXVIII-XCV. 21st May, 1800, to 3rd March, 1884.† 14435 pp.

* From this volume onward the *Register* contains Council proceedings only.

† From 9th November, 1883, the Minutes have been printed and bound in one volume yearly.

BURGH REGISTER OF SASINES.*

- I. 2nd June, 1484, to 10th January, 150¹.
- II. 10th January, 150¹, to 5th June, 1507.†
- III. 8th May, 1507, to 26th July, 1514.
- IV. 17th August, 1517, to 24th January, 154³.
- V¹. Protocol Book of David Nicolson.‡ 9th February, 152², to 12th January, 153⁴.
- V². Protocol Book of David Setton. 28th June, 1534, to 21st January, 157¹.
- VI. Protocol Book of John Nicolson. 25th November, 1535, to 5th May, 1545.
- VII. Protocol Book of John Kennedy.§ 20th November, 1542,|| to 12th August, 1555.
- VIII. Protocol Book of John Nicholson. 18th May, 1545, to 10th December, 1558.
- IX. *Ibid.* 3rd July, 1554, to 30th August, 1558.
- X. Protocol Book of John Kennedy. 7th April, 1555, to 21st January, 155⁶.
- XI. *Ibid.* 9th April, 1557, to 27th October, 1563.
- XII. *Ibid.* 2nd September, 1564, to 28th October, 1568.
- XIII. *Ibid.* 22nd April, 1567, to 31st March, 1572.
- XIV. *Ibid.* 8th November, 1568, to 30th March, 1576.
- XV. *Ibid.* 9th April, 1572, to 28th February, 157⁵.

* See Note by David Laing on the subject of Protocol Books in *Proc. Soc. Ant. Scot.*, Vol. ii., p. 350. Cf. Notes by Thomas Thomson on pp. 352, 384; Vol. v., p. 141.

† There are no entries from May, 1502, to April, 1503.

‡ Appears as Depute Town Clerk in 1530 (C. R., xiii. 47).

§ Admitted Depute in 1568 (C. R., xxvi. 391); and Principal Clerk in 1588 (C. R., xxxii. 459).

|| The second entry is dated 29th March, 1550.

- XVI. Protocol Book (No. 1) of Thomas Mollison.* 30th July, 1573, to 5th August, 1577.
- XVII^a. Protocol Book of John Kennedy. 19th April, 1572, to 13th October, 1578.
- XVII^b. *Ibid.* 4th April, 1576, to 17th March, 1580.
- XVIII. Protocol Book (No. 2) of Thomas Mollison. 8th August, 1577, to 4th March, 1580⁸.
- XIX. Protocol Book of John Kennedy. 26th March, 1578, to 12th March, 1581.
- XX. *Ibid.* 28th March, 1582, to 31st December, 1587.
- XXI. Protocol Book (No. 2 *bis*) of Thomas Mollison. 20th April, 1584, to 30th April, 1588.[†]
- XXII. Protocol Book of John Kennedy. 6th April, 1588, to 7th June, 1589.
- XXIII. Protocol Book (No. 3) of Thomas Mollison. 4th May, 1588, to 10th November, 1591.[‡]
- XXIV. *Ibid.* (No. 4). 11th November, 1591, to 22nd May, 1595.
- XXV. *Ibid.* (No. 5). 23rd May, 1595, to 14th May, 1597.
- XXVI. *Ibid.* (No. 6). 14th May, 1597, to 1st March, 1599⁸.
- XXVII. Protocol Book (No. 1) of Walter Robertson.§ 10th November, 1593, to 4th April, 1601.
- XXVIII. Protocol Book (No. 7) of Thomas Mollison. 14th March, 1598⁸, to 17th March, 1603.
- XXIX. Protocol Book (No. 2) of Walter Robertson. 8th May, 1601, to 3rd March, 1624.
- XXX. Protocol Book (No. 9) of Thomas Mollison. 19th March, 1603, to 8th June, 1607.
- XXXI. *Ibid.* (No. 10). 10th June, 1607, to 16th November, 1610.
- XXXII. *Ibid.* (No. 11). 17th November, 1610, to 23rd March, 1614.
- XXXIII. *Ibid.* (No. 12). 19th April, 1614, to 12th September, 1617.
- XXXIV. *Ibid.* (No. 13). 15th September, 1617, to 19th July, 1621.
- XXXV. *Ibid.* (No. 14). 19th July, 1621, to 21st October, 1622.
- XXXVI. Protocol Book (No. 3) of Walter Robertson. 4th March, 1624, to 19th January, 1630.

* Admitted Depute in 1588 (C. R., xxxii. 459); and Principal Clerk, 1593 (C. R., xxxiv. 962); died 3rd November, 1622 (*Minute Book*).

† All the entries in this volume are transcribed in vol. xviii. above.

‡ The entries on pp. 1-106 are transcribed in vol. xviii.

§ Admitted Principal Clerk in 1622 (C. R., l. 448); died 7th April, 1643 (M. B.).

- XXXVII. Protocol Book of John Ingram (No. 1).^{*} 25th January, 1622. to 24th October, 1636. And Protocol Book of George Robertson. 13th February, 1633, to 2nd May, 1644.
- XXXVIII. Protocol Book (No. 4) of Walter Robertson. 1st February, 1630, to 19th September, 1637.
- XXXIX. *Ibid.* (No. 5). 3rd October, 1637, to 9th February, 1643.
- XL. Protocol Book of Patrick Chalmers.[†] 19th May, 1643, to 21st November, 1646. And Protocol Book of John Chalmers.[‡] 1st December, 1646, to 11th November, 1648.
- XLI. Protocol Book of Thomas Mowat.[§] 26th February, 1648, to 28th November, 1648.
- XLII. Protocol Book (No. 1) of James Sandilands.^{||} 10th January, 1649, to 28th October, 1654.
- XLIII. *Ibid.* (No. 2). 2nd November, 1654, to 21st August, 1660.
- XLIV. Protocol Book of John Alexander.[¶] 6th September, 1660, to 30th November, 1661. And Protocol Book of James Kennedy.^{**} 14th December, 1661, to 23rd February, 1667.
- XLV. Protocol Book of James Kennedy. 23rd February, 1667, to 17th February, 1672.
- XLVI. Protocol Book (No. 1) of Alexander Robertson.^{††} 2nd March, 1672, to 11th May, 1674.
- XLVII. *Ibid.* (No. 2). 27th May, 1674, to 26th August, 1676.
- XLVIII. *Ibid.* (No. 3). 11th September, 1676, to 25th October, 1679.
- XLIX. *Ibid.* (No. 4). 23rd October, 1679, to 11th June, 1684.

^{*} Admitted Depute in 1628 (C. R., li¹. 425).

[†] Admitted Town Clerk in 1643 (C. R., lii¹. 790); died 3rd December, 1646 (M. B.).

[‡] Admitted conjunct Clerk with John Chalmers in 1647 (C. R., liii¹. 113).

[§] Admitted Depute in 1643 (C. R., lii¹. 793), and Principal Clerk in 1647 (liii¹. 110); resigns in 1647 (liii¹. 194).

^{||} Admitted Town Clerk 10th January, 1649 (C. R., liii¹. 200); died 17th August, 1660 (M. B.).

[¶] Admitted Town Clerk 22nd August, 1660 (C. R., liv. 202); died 21st March, 1661 (M. B.). Not being a Notary, he granted no sasines. His depute, Alexander Bruce, acted, but there are no entries from December, 1660, to April, 1661.

^{**} Admitted Town Clerk 7th December, 1661 (C. R., liv. 267); dismissed in 1673 (C. R., lv. 373).

^{††} Admitted Town Clerk 1st March, 1672 (C. R., lv. 376).

- L. Protocol Book (No. 5). 10th June, 1684, to 1st October, 1688.
- LI. *Ibid.* (No. 6). 1st October, 1688, to 26th March, 1692. And Protocol Book (No. 1) of John Moir.* 31st March, 1692, to 8th March, 1694.
- LII. Protocol Book (No. 2) of John Moir. 8th March, 1694, to 11th August, 1694. And Protocol Book (No. 1) of Alexander Thomson.† 25th August, 1694, to 13th August, 1700.
- LIII. Protocol Book (No. 2) of Alexander Thomson. 9th September, 1700, to 23rd December, 1709.
- LIV. *Ibid.* (No. 3). 21st January, 1710, to 29th November, 1714.
- LV. *Ibid.* (No. 4). 3rd January, 1715, to 23rd December, 1721.
- LVI. *Ibid.* (No. 5). 22nd January, 1722, to 20th June, 1727.
- LVII. Protocol Book (No. 1) of Robert Thomson.‡ 27th June, 1727, to 16th December, 1731.
- LVIII. *Ibid.* (No. 2). 22nd January, 1732, to 7th July, 1740.
- LIX. *Ibid.* (No. 3). 12th July, 1740, to 29th April, 1747.
- LX. *Ibid.* (No. 4). 30th April, 1747, to 27th July, 1752.
- LXI. *Ibid.* (No. 5). 11th August, 1752, to 3rd May, 1756.
- LXII. *Ibid.* (No. 6). 17th May, 1756, to 16th May, 1759.
- LXIII. *Ibid.* (No. 7). 16th May, 1759, to 14th February, 1763.
- LXIV. *Ibid.* (No. 8). 19th February, 1763, to 23rd August, 1766.
- LXV. *Ibid.* (No. 9). 5th September, 1766, to 20th April, 1767. And Protocol Book of Alexander Carnegie (No. 1).§ 7th May, 1767, to 23rd December 1769.
- LXVI. Protocol Book (No. 2) of Alexander Carnegie. 23rd December, 1769, to 16th January, 1772.
- LXVII. *Ibid.* (No. 3). 23rd January, 1772, to 17th November, 1773.
- LXIX. *Ibid.* (No. 4). 18th November, 1773, to 12th January, 1775.
- LXX. *Ibid.* (No. 5). 14th January, 1775, to 3rd July, 1776.
- LXXI. *Ibid.* (No. 6). 3rd July, 1776, to 26th November, 1778.
- LXXII. *Ibid.* (No. 7). 11th December, 1778, to 23rd January, 1781.
- LXXIII. *Ibid.* (No. 8). 7th February, 1781, to 26th June, 1783.
- LXXIV. *Ibid.* (No. 9). 7th July, 1783, to 9th June, 1784.

* Admitted conjunct Clerk with Alexander Robertson in 1689 (C. R., lvii. 302, 312).

† Admitted conjunct Clerk with John Moir in 1694 (C. R., lvii. 449).

‡ Admitted conjunct Clerk with his father in 1724 (C. R., lix. 142). Died 29th April, 1767 (M. B.).

§ Admitted conjunct Clerk with Robert Thomson in 1762 (C. R., lxii. 328).

- LXXV. Protocol Book (No. 10). 9th June, 1784, to 1st May, 1786.
 LXXVI. *Ibid.* (No. 11). 3rd May, 1786, to 10th December, 1788.
 LXXVII. *Ibid.* (No. 12). 10th December, 1788, to 4th September, 1790.
 LXXVIII. *Ibid.* (No. 13). 8th October, 1790, to 14th July, 1792.
 LXXIX. *Ibid.* (No. 14). 17th July, 1792, to 26th February, 1794.
 LXXX. *Ibid.* (No. 15). 11th March, 1794, to 18th October, 1795.
 LXXXI. *Ibid.* (No. 16). 19th October, 1795, to 26th July, 1797.
 LXXXII*. *Ibid.* (No. 17). 1st August, 1797, to 31st May, 1799.
 LXXXIII. *Ibid.* (No. 18). 1st June, 1799, to 31st December, 1800.
 LXXXIII.-LXXXVII. *Ibid.* (Nos. 19-23) 31st December, 1800, to 15th May, 1806.

LXXVII. (*cont.*) to LXXXIX. Protocol Books (Nos. 1-3) of William Carnegie.* 29th May, 1806, to 11th November, 1809.

A new series begins 22nd November, 1809, and up to October, 1889, numbers 205 volumes.

- Minute Books.— I. 30th July, 1573, to 8th March, 1694.
 II. 8th March, 1694, to 29th October, 1791.
 III.—To date.

* Admitted conjunct Clerk with his father in 1793 (C. R., lxxvii. 8).

REGISTER OF DEEDS RECORDED IN THE BURGH COURT.

First Series.

- Vol. I. 5th May, 1569, to 20th September, 1575.
II. 4th September, 1575, to 27th December, 1594.
III. 9th May, 1594, to 9th June, 1598.
IV. 10th June, 1598, to 16th December, 1606.
V. 17th January, 1607, to 7th August, 1616.
VI. 31st August, 1616, to 30th December, 1626.
VII. 6th January, 1627, to 28th November, 1637.
VIII. 30th November, 1637, to 28th June 1643.
IX. 13th December, 1648, to — January, 1660.
X. 14th January, 1660, to 5th July, 1667.
XI. 5th July, 1667, to 6th August, 1675.
XII. 4th March, 1682, to 29th March, 1687.
XIII. 4th January, 1689, to 24th December, 1703.
XIV. 5th January, 1704, to 1st July, 1710.

Minute Book, 5th May, 1569, to 17th June, 1640.

Do., 21st January, 1650, to 26th May, 1696.

*Second Series.**

- Vols. I. to XIII. 14th November, 1809, to 11th February, 1880.

Minute Book, January, 1753, to September, 1815.

Do., October, 1815, to February, 1869.

The original deeds are preserved tied up in bundles :

1590-1710, 18 bundles.

1710-1809, 48 „

1809 to date, 10 „

Various dates, 4 „

* Under Act 49, Geo. III., cap. 42.

ACCOUNTS.

(1) *Treasury.**Vol. I[†]. Accounts of Collector of Chaplain's Feuduties for year 1605.

Do. Guildry, 1612-13.

Do. Guild Box, 1618-19.

Do. Treasury, 1559-60, 1595-6 to 1596-7, 1600-1, 1607-8, 1637-8 (Rentals for same year, 1638-9, 1641-2, Rental for 1645-6), 1690-1 to 1691-2.

Accounts of Kirk and Bridge Works, Rental for 1642-3.

Do. Hospital, 1606-7, 1619-20 (Rentals for 1629-30, 1634-5, and 1641-2).

I[†]. Accounts of Treasury, 1614-5, 1620-1, 1623-24 to 1624-25 (Rental 1629), 1702-3.

Guildry Casualties, 1689-90.

Accounts of Repairing Bridge of Don, 1607 to 1609.

Do. Kirk and Bridge Works, 1622-3.

Do. Mortifications, 1694-5 to 1695-6.

Do. Shore Works, 1607-8, 1626-7, 1639-40.

I[†]. Treasury Accounts for years 1577-8 to 1578-9, 1582-3 to 1585-6, 1588-9 to 1589-90, 1591-2 to 1592-3, 1594-5, 1597-8 to 1599-1600, 1610-2 to 1605-6, 1608-9, 1610-11, 1612-13 to 1613-14, 1617-18 to 1619-20, 1624-25 to 1636-7, 1638-9 to 1658-59.
1611-12 (unbound).

II. Accounts for years 1669-60 to 1689-90, 1692-3 to 1699-1700.

III. Do. 1700-1 to 1724-5.

IV. Do. 1725-6 to 1749-50.

V. Do. 1750-1 to 1769-70.

VI. Do. 1770-1 to 1779-80.

VII. Do. 1780-1 to 1789-90.

VIII. Do. 1790-1 to 1799-1800.

IX. Do. 1800-1 to 1805-6.

X. Do. 1806-7 to 1811-2.†

* See Spalding Club *Miscellany*, vol. v., p. III.

† From 1812 onwards the Accounts form two series, "Treasury" and "Officebearers," the latter including Mortifications, Kirk and Bridge Works, Guildry, and Hospital.

(2) *Mortifications.*

Vol. I. Accounts of Dr. Liddel's Mortification, 1615 to 1622.

Treasury Accounts, 1621-2 to 1622-3.

Mortification Accounts,* 1622-3 to 1672-3.

II. Mortification Accounts for years 1673-4 to 1699-1700. (See also *Treasury Accounts*, vol. ist.)

III. Mortification Accounts for years 1700-1 to 1712-3.

IV. Do. 1713-4 to 1724-5.

V. Do. 1725-6 to 1736-7.

VI. Do. 1737-8 to 1738-9, 1740-1 to 1749-50.

VII. Do. 1750-1 to 1759-60.

VIII. Do. 1760-1 to 1769-70.

IX. Do. 1770-1 to 1775-6, 1777-8 to 1778-79.

X. Do. 1779-80 to 1785-6.

XI. Do. 1786-7 to 1792-3.

XII. Do. 1793-4 to 1799-1800.

XIII. Do. 1800-1 to 1805-6.

XIV. Do. 1806-7 to 1811-2.

(3) *Kirk and Bridge Works.*

Vol. I. Accounts for years 1571-2 to 1577-8, 1584-5 to 1621-2, 1623-4, 1627-8, 1630-1, 1635-6, 1640-1 to 1669-70, 1690-1 to 1691-2. (See also *Treasury Accounts*, vols. ist, ist.)

II. Accounts for years 1670-1 to 1689-90, 1692-3 to 1699-1700.

III. Do. 1700-1 to 1724-5.

IV. Do. 1725-6 to 1739-40, 1742-3 to 1749-50.

V. Do. 1750-1 to 1769-70.

VI. Do. 1770-1 to 1779-80.

VII. Do. 1780-1 to 1789-90.

VIII. Do. 1790-1 to 1799-1800.

IX. Do. 1800-1 to 1811-2.

(4) *Shore Works.*

Vol. I. Accounts for years 1596-7 to 1599-1600, 1605-6, 1608-9 to 1614-5, 1617-8 to 1618-9, 1620-1 to 1625-6, 1627-8 to 1630-1, 1633-4 to 1690-91, 1692-3 to 1699-1700. (See also *Treasury Accounts* vol. ist.)

* A Master of Mortifications was first appointed in 1632: prior to that date the accounts of the few mortifications were kept by the Treasurer, Master of Hospital, Dean of Guild, and Master of Kirk and Bridge Works respectively.

GGG

- II. Accounts for years 1700-1 to 1769-70.
- III. Do. 1770-1 to 1784-5.
- IV. Do. 1785-6 to 1799-1800.
- V. Do. 1800-1 to 1809-10.*

(5) *Gildry.*†

Vol. I. Accounts for years 1452-3, 1548-9 to 1551-2, 1581-2 to 1583-4, 1586-7, 1593-4 to 1599-1600, 1601-2, 1603-4 to 1611-2, 1613-4 to 1629-30, 1631-2 to 1633-4, 1635-6, 1637-8, 1639-40 to 1643-4, 1647-8, 1649-50. (See also *Treasury Accounts*, vol. i^l.)

- II. Accounts for years 1650-1 to 1679-80.
- III. Do. 1680-1 to 1699-1700.
- IV. Do. 1700-1 to 1723-4.
- V. Do. 1724-5 to 1749-50.
- VI. Do. 1750-1 to 1769-70.
- VII. Do. 1770-1 to 1779-80.
- VIII. Do. 1780-1 to 1789-90.
- IX. Do. 1790-1 to 1799-1800.
- X. Do. 1800-1 to 1811-2.

(6) *Guild Brethren Hospital.*

Vol. I. Accounts for years 1607-8, 1609-10 to 1610-11, 1612-3 to 1614-5, 1616-7 to 1617-8, 1620-1 to 1629-30, 1631-2 to 1699-1700. (See also *Treasury Accounts*, vol. i^l.)

- II. Accounts for years 1700-1 to 1736-7, 1738-9 to 1748-9.
- III. Do. 1750-1 to 1769-70.
- IV. Do. 1770-1 to 1779-80.
- V. Do. 1780-1 to 1789-90.
- VI. Do. 1790-1 to 1799-1800.
- VII. Do. 1800-1 to 1811-2.

* By Act of 1810 (v. *supra*, p. 283), the management of the Harbour was placed under Trustees, whose accounts are separately kept.

† See Spalding Club *Miscellany*, vol. v., p. 48.

BAILLIE COURT BOOKS.

First Series.

- Vol. I. 21st April, 1572, to 28th September, 1576.*
- II. 7th April, 1581, to 28th September, 1582.
- III. 3rd April, 1584, to 19th December, 1585.
- IV. 10th February, 1585, to 2nd September, 1587.
- V. 18th November, 1594, to 23rd September, 1595.
- VI. 24th June, 1596, to 28th September, 1597.
- VII. 2nd June, 1648, to 16th October, 1652.
- VIII. 16th October, 1652, to 15th December, 1657.
- IX. 17th December, 1657, to 16th January, 1662.
- X. 7th June, 1662, to 8th December, 1668.
- XI. 8th December, 1668, to 25th June, 1672.
- XII. 7th May, 1672, to 9th September, 1675.
- XIII. 18th January, 1676, to 28th February, 1682.
- XIV. 29th March, 1687, to 16th November, 1691.†

Second Series (Diet Books).

- I. 10th April, 1731, to 30th September, 1741.
- II. 10th October, 1741, to 20th August, 1753.
- III. 1st September, 1753, to 15th September, 1759.
- IV. 29th September, 1759, to 30th May, 1766.
- V. 10th May, 1766, to 28th October, 1769.
- VI. 4th November, 1769, to 9th November, 1771.
- VII. 16th November, 1771, to 3rd May, 1773.
- VIII. 12th June, 1773, to 8th April, 1775.
- IX. 6th May, 1775, to 14th June, 1777.
- X. 5th July, 1777, to 11th December, 1779.
- XI.-XXVIII. 15th January, 1780, to 24th February, 1821.

GUILD COURT BOOK.

7th September, 1637, to 23rd December, 1697.

* A volume of Aberdeen Baillie Court Records, 1563 to 1581 (36 pp.), is preserved in H.M. General Register House, Edinburgh.

† Besides the ordinary transactions of the Baillie Court (and in some cases of the Council), these volumes contain deeds inserted principally at the end of each.

JUSTICE COURT BOOKS.*

- Vol. I. 19th January, 1657, to 16th January, 1688.
II. 12th April, 1669, to 4th August, 1690.†
III. 4th January, 1693, to 7th April, 1702.
IV. 20th October, 1690, to 24th April, 1783.
Accounts of said Court, 1657, to 1744.

ENACTMENT BOOKS.‡

- Vol. I. February, 1701, to 31st September, 1709.
II. 31st October, 1709, to 5th July, 1717.
III. 22nd February, 1717, to 22nd October, 1730.
IV. 29th October, 1730, to 15th September, 1741.
V. 20th October, 1741, to 3rd November, 1749.
VI. 27th December, 1749, to 15th March, 1758.
VII. 29th March, 1758, to 31st May, 1782.
VIII. 17th June, 1782, to 24th April, 1790.
IX. 13th May, 1790, to 28th September, 1793.
X. 4th October, 1793, to 2nd May, 1806.
XI.-XVI. 28th May, 1806, to 27th January, 1820.

PROPINQUITY BOOKS.§

- Vol. I. 9th January, 1637, to 19th November, 1705.
II. 14th July, 1706, to 10th October, 1730.
III. 25th April, 1730, to 6th April, 1765.
IV. 27th April, 1765, to 10th March, 1797.

* "Containing the Acts of the Magistrats of the Burgh of Aberdeen and Justices of Peace within the samen, libertie and fredome thereof, relating especiallie to the punishing of uncleane persons, drunkards, cursers, and swearers and breakers of the Sabbath."

† Appears to be a scroll book.

‡ These volumes contain depositions made before the Baillies.

§ These volumes contain depositions made before the Baillies, relating not merely to questions of relationship, but to matters connected with shipping, etc. See Spalding Club *Miscellany*, vol. v., p. 325; and New Spalding Club *Miscellany*, vol. i.

INCARCERATION AND LIBERATION BOOKS.*

- Vol. I. 9th June, 1625, to 15th January, 1709.
 II. 7th February, 1709, to 28th September, 1759.
 III. 6th October, 1759, to 8th December, 1788.
 IV.-VIII. 14th June, 1805, to 28th July, 1831.

REGISTER OF INDENTURES.†

- Vol. I. 9th February, 1622, to 30th April, 1798.
 II. 4th May, 1798, to 30th December, 1826.
 III. 20th January, 1807, to date.

REGISTER OF ADMISSION OF BURGESSES OF GUILD
AND CRAFTSMEN.‡

- Vol. I. 6th October, 1632, to 24th January, 1694.
 II. 4th April, 1694, to 15th December, 1760.
 III. 21st April, 1761, to 20th October, 1796.
 IV¹. 22nd November, 1796, to 22nd September, 1812. } Guild Burgesses
 V¹-VIII¹. 11th February, 1813, to date. } only.
 IV². 27th September, 1797, to 5th October, 1825. } Trades Burgesses only.
 V²-VII. 17th October, 1825, to date.

REGISTER OF HONORARY BURGESSES.

- Vol. I. 19th September, 1783, to date.

* "Ane Register for the Wardhus of Aberdeine, Containing a nott of all such persones as ar cōmitted and arrested in the said ward, with a nott at whose Instance and for what caus they are cōmitted or arrested."

† "Ane Register institute be the Prouest Baillies and Councell of the Burgh of Aberdeine Whairin is appoyntit to be Registrat ane Nott of all prentesses enterit in the said Burgh ather to merchants or Craftesmen for what space of tyme and to whome they ar bund prenteisises with the dait of their Indentoures whilk Register is institute be Act of Councell of the date the Nyntein day of September Jm sex hundreth threttie and twa yeres."

‡ Entries of the admission of burgesses are found in the *Council Register* from the earliest date. See *New Spalding Club Miscellany*, vol. i.

LETTERS, ETC., RECEIVED.*

- Vol. I. 14th March, 155²/₃, to 18th September, 1633.
 II. 13th January, 1634, to 25th December, 1644.
 III. 18th January, 1645, to 15th November, 1659.
 IV. 14th January, 1660, to 31st December, 1669.
 V. 4th January, 1670, to 2¹/₂st December, 1675.
 VI. 6th January, 1676, to 14th December, 1681.
 VII. 15th January, 1682, to 22nd December, 1699.
 VIII. 8th January, 1700, to 21st December, 1719.
 IX. 5th January, 1720, to 26th December, 1739.
 X. 5th February, 1740, to 16th November, 1749.
 XI. 17th April, 1750, to 24th November, 1759.
 XII. 8th January, 1760, to 11th October, 1769.
 XIII. 10th January, 1770, to 28th October, 1789.
 XIV. 6th March, 1790, to 8th September, 1799.

Several Series of Letter Books, 1800 to date.

- Supplementary Vol. I. 21st February, 1615, to 13th November, 1759.
 Do. II. 28th January, 1760, to 20th December, 1764.
 Do. III. 3rd January, 1765, to 29th December, 1766.
 Do. IV. 3rd January, 1767, to 29th December, 1769.
 Do. V. 16th January, 1770, to 10th October, 1794.
 Do. VI. 3rd January, 1795, to 17th September, 1807.

COPIES OF LETTERS SENT.

- Vol. I. 17th February, 1729, to 23rd January, 1738.
 II. 11th August, 1738, to 22nd December, 1747.
 III. 4th January, 1748, to 25th March, 1755.
 IV. 22nd March, 1755, to 1st November, 1759.
 V. 8th November, 1759, to 11th April, 1764.
 VI. 19th April, 1764, to 26th May, 1768.
 VII. 31st May, 1768, to 6th September, 1773.
 VIII. 17th November, 1773, to 1st February, 1781.
 IX. 12th February, 1781, to 17th May, 1787.
 X. 7th June, 1787, to 31st December, 1795.
 XI. 14th January, 1796, to 22nd May, 1802.

Several Series of Letter Books to date.

* See Spalding Club *Miscellany*, vol. v., p. 371.

PROCLAMATION BOOKS.

Vol. I. 5th January, 159²₃, to 21st November, 1831.

II. 2nd January, 1764, to 13th October, 1857.

REGISTER OF MORTIFICATIONS.*

Vol. I. 15th June, 1596, to 27th July, 1749.

II. 20th February, 1754, to 20th January, 1864.

RECORDS OF COMMISSIONERS OF POLICE.

Vol. I. 6th June, 1795, to 8th May, 1809.

II.-XXI. 23rd May, 1809, to 3rd March, 1884.†

RECORDS OF VISITATIONS OF GRAMMAR SCHOOL.

Vol. I. October, 1764, to October, 1855.

II. October, 1856, to October, 1872.

GUILDRY MINUTE BOOKS.

Vol. I. 14th December, 1732, to 14th August, 1793.

II. 2nd December, 1793, to 4th November, 1833.

III.-V. 29th March, 1833, to date.

WEAVERS' ENACTMENT BOOKS.‡

Vol. I. 20th May, 1729, to 27th May, 1729.

II. 22nd May, 1729, to 9th June, 1729.

III. 3rd May, 1738, to 18th May, 1738.

* See *Mortifications under the Charge of the Provost, etc., of Aberdeen*, 1849; and *Supplement* to do., 1874.

† From 16th November, 1883, the Minutes have been printed and bound in one volume yearly.

‡ In terms of Justice of Peace order, dated 12th May, 1729.

CHARTULARY OF FEUS OF FREEDOM LANDS.

- Vol. I. 11th September, 1729, to 23rd September, 1754.*
 II. 8th March, 1756, to 14th April, 1774.
 III. 15th April, 1774, to 3rd December, 1791.
 IV. 6th July, 1792, to 7th September, 1804.
 V.-IX. 7th September, 1804, to date.

CHARTULARY OF FEUS OF COUNTY LANDS.

- Vol. I. as above.
 II. 22nd March, 1756, to 28th March, 1775.
 III. 19th February, 1777, to 17th April, 1788.
 IV. 22nd September, 1789, to 11th March, 1802.
 V.-VIII. 11th March, 1802, to date.

Book of Wadsetters for Shire of Aberdeen.† 1633-1646.

Book of Burgh Statutes. 7th October, 1650, to 14th October, 1683.

Chartulary of St. Nicholas Church. 1st March, 1328, to 8th July, 1574
 (115 folios).‡

Register of Annual Rents and Feumails formerly belonging to Chaplains, etc., of St. Nicholas Church. 1599 to 1613.

Directory for St. Nicholas Churchyard. 1790.

Record of Additional Fund to Guild Box. 1st February, 1737, to Michaelmas, 1786.

Memorial and Consultation Book. 11th March, 1726, to 16th January, 1812.

Scroll Council Register. 22nd November, 1652, to 20th January, 1686.

Books relating to Rebellion of 1745. 3 vols. 27th December, 1745, to 23rd May, 1746.

Bible, printed by Robert Barker, London, 1617. Presented by Gilbert Hervie, Elder, to the Hospital of Aberdeen, 18th May, 1631.

Bible, printed by Robert Barker, London, 1634. Precentor's Bible in Old East Church.

* Also contains Charters of County Lands.

† Partly printed in Spalding Club *Miscellany*, vol. iv., p. 71.

‡ Printed for the New Spalding Club in 1888.

II.—RECORDS UNDER THE CHARGE OF THE SHERIFF CLERK OF ABERDEENSHIRE.

DIET BOOKS OF COURT.

- Vol I. 31st July, 1503, to 30th September, 1511.
II. 11th January, 1557, to 22nd June, 1560.
III. 12th January, 1573, to 9th October, 1576.
IV. 19th June, 1584, to 30th November, 1584.
V. 25th June, 1595, to 24th June, 1596.
VI. 3rd October, 1598, to 22nd May, 1621.
VII. 16th February, 1603, to 5th September, 1604.
VIII. 11th January, 1603, to 14th June, 1622.
IX. — June, 1607, to 20th December, 1620.
X. 3rd June, 1629, to 29th March, 1634.
XI. 22nd June, 1641, to 12th December, 1649.
XII. 2nd October, 1649, to 13th July, 1653.
XIII. 17th January, 1656, to 2nd March, 1659.
XIV. 4th October, 1665, to 28th February, 1672.
XV. 3rd October, 1677, to 12th July, 1678.
XVI. 24th July, 1678, to 2nd January, 1684.
XVII. 12th September, 1690, to 22nd July, 1692.
XVIII. 4th October, 1692, to 30th July, 1697.
XIX. 5th October, 1697, to 4th September, 1702.
XX. 6th October, 1702, to 21st August, 1706.
XXI. 1st October, 1706, to 30th July, 1714.
XXII. 5th October, 1714, to 10th January, 1718.
XXIII. — April, 1718, to — July, 1721.
XXIV. — June, 1721, to — January, 1723.
XXV. 11th January, 1723, to 9th February, 1728.
XXVI. 15th April, 1728, to 9th January, 1734.

HHH

- XXVII. 20th February, 1734, to 5th October, 1737.
XXVIII. 2nd November, 1737, to 18th July, 1740.
XXIX. 3rd February, 1742, to 3rd October, 1744.
XXX. 3rd June, 1747, to 13th July, 1749.
XXXI. 14th July, 1749, to 16th January, 1751.
XXXII.-CXXVI. 18th January, 1751, to date.

DECREE BOOKS.

- Vol I. 18th June, 1597, to 1st October, 1644.
II. 15th January, 1617, to 18th March, 1618.
III. 5th June, 1629, to 29th March, 1634.
IV. 16th April, 1634, to 23rd June, 1641.
V. 29th March, 1634, to 29th June, 1636.
VI. 1st July, 1636, to 14th November, 1638.
VII. 19th December, 1638, to 5th January, 1642.
VIII. 12th January, 1642, to 22nd June, 1649.
IX. 7th September, 1649, to 21st July, 1652.
X. 4th August, 1652, to 18th August, 1654.
XI. 22nd December, 1655, to 18th April, 1656.
XII. 4th June, 1656, to 12th August, 1657.
XIII. 7th October, 1657, to 17th December, 1662.
XIV. 7th October, 1691, to 7th February, 1693.
XV. 1st July, 1701, to 28th November, 1744.
XVI. 10th July, 1745, to 20th November, 1751.
XVII. 30th October, 1751, to 20th October, 1757.
XVIII. 21st October, 1757, to 28th August, 1761.
XIX. 25th September, 1761, to 8th July, 1767.
XX. 10th July, 1767, to 25th November, 1774.
XXI. 2nd December, 1774, to 21st February, 1781.
XXII. 23rd February, 1781, to 15th March, 1786.
XXIII. 15th March, 1786, to 30th July, 1788.
XXIV. 1st August, 1788, to 22nd February, 1793.
XXV. 27th February, 1793, to 12th February, 1800.
XXVI.-XXXVII. 13th November, 1807, to date.

REGISTER BOOKS OF PROTESTS.

- Vols. XI.-L. 15th November, 1809, to date.

REGISTERS OF DEEDS.

Old Series.

- Vol. I. 18th October, 1606, to 8th October, 1612.
II. 6th June, 1615, to 3rd September, 1616.
III. 16th June, 1619, to 25th October, 1620.
IV. 17th April, 1621, to 5th October, 1622.
V. 12th October, 1622, to 24th October, 1623.
VI. 24th October, 1623, to 23rd November, 1624.
VII. 23rd November, 1624, to 10th March, 1627.
VIII. 1st December, 1630, to 6th July, 1632.
IX. 18th July, 1632, to 2nd November, 1633.
X. 4th November, 1633 to 18th November, 1634.
XI. 20th November, 1634, to 9th June, 1636.
XII. 23rd November, 1637, to 30th December, 1640.
XIII. 20th November, 1649, to 31st December, 1650.
XIV. 1st January, 1651, to 6th February, 1652.
XV. 12th February, 1652, to 20th April, 1653.
XVI. 21st April, 1653, to 4th July, 1654.
XVII. 6th July, 1654, to 25th October, 1655.
XVIII. 2nd November, 1655, to 29th October, 1656.
XIX. 29th October, 1656, to 19th November, 1657.
XX. 21st November, 1657, to 11th October, 1658.
XXI. 12th October, 1658, to 11th August, 1659.
XXII. 1st June, 1661, to 7th May, 1662.
XXIII. 8th May, 1662, to 30th December, 1663.
XXIV. 1st January, 1664, to 28th April, 1665.
XXV. 1st January, 1672, to 31st March, 1673.
XXVI. 2nd January, 1679, to 31st December, 1680.
XXVII. 4th January, 1681, to 7th March, 1682.
XXVIII. 1st December, 1684, to 22nd December, 1686.

- XXIX. 1st May, 1688, to 31st December, 1689.
 XXX. 1st January, 1690, to 11th February, 1691.
 XXXI. 13th February, 1691, to 30th June, 1693.
 XXXII. 16th October, 1697, to 10th March, 1699.
 XXXIII. 1st January, 1700, to 15th August, 1701.
 XXXIV. 2nd August, 1703, to 26th January, 1704.
 XXXV. 1st November, 1765, to 29th August, 1766.

New Series.

Vols. I.-CXXXVI. 17th November, 1809, to date.

DEEDS, &c., HANDED IN FOR PRESERVATION.

Bundles of deeds for every year from and including 1607 to November, 1809, when the present system of registration came into force ; also bundles for each year from 1809 to date.

There are also bundles of deeds for every year from and including 1722 to November, 1809, which were handed over to the Sheriff Clerk by the Commissary Clerk in the latter year.*

* Previous to 12th November, 1809, when the Act of 44 Geo. III., Cap. 42, came into force, the Commissary Courts were Courts of Record, but unfortunately all the deeds and books prior to the date of the fire on 30th October, 1721, perished in the fire.

The books, from the date of the fire to the date of the Act above referred to, are now in the Register House, Edinburgh, while the deeds themselves are in the custody of the Sheriff Clerk, having been handed over to him by the Commissary Clerk, conform to an inventory.

This inventory consists of three parts, viz. :—

- (1) List of Extracts registered after the fire.
- (2) List of Papers registered after the fire.
- (3) List of Registered Protests on Bills.

The volume containing these lists and another volume entitled "Copy Minute Book of Confirmed Testaments from 30th October, 1721," might be useful to investigations for the periods they cover.

There seem to be complete books of Extract Inventories since 1806, and of Testamentary Writings since 1812, and relative Diet Books.

JUDICIAL BONDS.

A bundle for every year from 1734 to date.

REGISTERED PROTESTS.

Prior to the year 1722, protests were put up with and recorded among the deeds. Since that year down to the present time they have been put up in separate bundles.

PROCESSES AND EXTRACTED DECREES.

Numerous bundles of these prior to 1811, and from that period to date, bundles for each year.

COMPOUNDED PROCESSES.

Bundles of these for several years during period 1772 to 1806.

HALF DUES, PAID PROCESSES.

Bundles of these for several years during period 1808 to 1835.

UNEXTRACTED DECREES.

A bundle of these for each year from 1806 to 1826, and also for the year 1829.*

SMALL DEBT COMPLAINTS, &c.

Bundles of these for the whole period from and after 1845 to date.

MINUTE BOOKS OF COURT FROM 1825.

SERVICES—TUTORIAL AND CURATORIAL INVENTORIES.

Bundles of these proceedings for the period 1649 to 1851.

* For a good many years no distinction has been made between *extracted* and *unextracted* decrees, the processes disposed of in each year being put up together.

SUMMARY WARRANTS—POINDINGS.

Bundles for each year from 1794 to date.

FIARS.

Two volumes containing the Register of Fiars' Prices from 1706 to date.

MINUTE BOOK OF REGISTRATION OF DEEDS AND PROTESTS.

Continuous from 1630 to date, with the exception of the period from 1643 to 1649.

MINUTE BOOK OF PROTESTS.

One separate volume, commencing with 1845, and still current.*

MINUTE BOOKS OF SERVICES AND INVENTORIES.

Two volumes, from 1649 to January, 1851.†

MINUTE OR RECORD BOOK OF CRIMINAL TRIALS.

Complete from 1733 to date, except for the period from 1743 to 1769.

REGISTER OF COMMERCIAL SEQUESTRATIONS.

Complete from 1839 to date.

MINUTE BOOKS OF BONDS.

Complete from 1780 to date.

**RECORD OF PROCEEDINGS UNDER THE ACT FOR
DISARMING THE HIGHLANDS OF SCOTLAND.**

One volume, of date 30th May, 1748.

* Previous to 1845 the Registration of Protests was minuted in the Minute Books of Deeds.

† Since the latter date these proceedings have been entered in the Diet Books.

**REGISTER AND MINUTE BOOK OF HORNING'S AND
INHIBITIONS.**

One volume, which is still current, commencing 1852.

MINUTE BOOKS OF FREEHOLDERS' RECORDS.

Seven volumes of these complete, for period 1727 to 1832.

**MINUTE BOOK OF PROCEEDINGS OF THE FREEHOLDERS'
COMMITTEE AS TO THE RECORD OFFICE.**

One volume, dated 1829.

COPY ABSTRACTS OF FREEHOLDERS' CLAIMS.

Three volumes.

**THE RECORD OF ELECTION OF MEMBERS OF PARLIA-
MENT FOR ABERDEENSHIRE.**

One volume, for period 1761 to 1768.

VOTING LISTS OF FREEHOLDERS.

Six volumes, for period 1832 to 1836.

CORN REGISTER.

One volume bearing this title, containing entries from May, 1810, to July, 1821.

POPULATION RETURNS.

Seven volumes, containing these returns from 1801 to 1831, both inclusive.

RECORD OF EXPENDITURE ON ENTAILED ESTATES.

Eight complete volumes, for period from 9th March, 1820, to 8th March, 1852.

CRIMINAL PROCEEDINGS—JURY.

Two bundles, being criminal proceeding from 1795 to 1826, and bundles from 1827 to date.

SUMMARY CRIMINAL TRIALS.

Bundles for period 1827 to date.

PAPERS CONNECTED WITH CONVICTS.

A bundle of papers connected with convicts ordered for transportation as for period 1826 to 1839.

III.—RECORDS UNDER THE CHARGE OF H.M. REGISTRAR GENERAL.

A.—RECORDS, WARRANTS, &c., OF THE COM- MISSARY COURT OF ABERDEEN.*

I.—CONFIRMATIONS AND INVENTORIES.

TITLED INVENTORIES.

{ 235 †	-	-	-	1715-22 }	252	-	-	-	-	1752-3
{ 236	-	-	-	- 1723 }	253	-	-	-	-	1754-5
237	-	-	-	- 1724	254	-	-	-	-	1756-7
238	-	-	-	- 1725-6	255	-	-	-	-	1758-60
239	-	-	-	- 1727-8	256	-	-	-	-	1761-2
240	-	-	-	- 1729-30	257	-	-	-	-	1763-4
241	-	-	-	- 1731	258	-	-	-	-	1765-6
242	-	-	-	- 1732-3	259	-	-	-	-	1767-9
243	-	-	-	- 1734-5	260	-	-	-	-	1770-2
244	-	-	-	- 1736-7	261	-	-	-	-	1773-5
245	-	-	-	- 1738-9	262	-	-	-	-	1776-8
246	-	-	-	- 1740-1	263	-	-	-	-	1779-81
247	-	-	-	- 1742	264	-	-	-	-	1782-3
248	-	-	-	- 1743-4	265	-	-	-	-	1784-6
249	-	-	-	- 1745-7	266	-	-	-	-	1787-8
250	-	-	-	- 1748-9	267	-	-	-	-	1789
251	-	-	-	- 1750-1	268	-	-	-	-	1790

* The Records of this Commissariat were transmitted to H.M. General Register House, Edinburgh, on 17th March, 1860. They are accompanied by an Inventory prepared by the Commissary Clerk, which indicates merely the bundles and volumes of which the transmission consisted, with the dates to which these relate. The earlier Records of the Commissariat were destroyed by fire on the 30th October, 1721, and, accordingly, the following lists will be found to contain little that is earlier in date than that year.

† Number in Commissary Clerk's Inventory of Bundles.

TITLED CONFIRMATIONS.

269	-	-	-	-	-	1791	275	-	-	-	-	-	1797
270	-	-	-	-	-	1792	276	-	-	-	-	-	1798
271	-	-	-	-	-	1793	277	-	-	-	-	-	1799
272	-	-	-	-	-	1794	278	-	-	-	-	-	1800
273	-	-	-	-	-	1795	279-301	-	-	-	-	-	1801-23
274	-	-	-	-	-	1796							

II.—JUDICIAL INVENTORIES OF MINORS' ESTATES.

302	-	-	-	-	-	1722-33	304	-	-	-	-	-	1734-47
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TITLED CURATORIAL INVENTORIES.

305	-	-	-	-	-	1749-58	307	-	-	-	-	-	1782-1805
306	-	-	-	-	-	1760-79	308	-	-	-	-	-	1806-23

III.—SUNDRY OLD PAPERS, APPARENTLY INVENTORIES.

309	-	-	-	-	-	1719-34	303	-	-	-	-	-	1736-40
-----	---	---	---	---	---	---------	-----	---	---	---	---	---	---------

IV.—EDICTS.

CURATORY.

310	-	-	-	-	-	-	-	-	-	-	-	-	1721-1805
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EXECUTRY

311	-	-	-	-	-	1720-49	315	-	-	-	-	-	1790-94
312	-	-	-	-	-	1750-69	316	-	-	-	-	-	1795-1800
313	-	-	-	-	-	1770-82	317-321	-	-	-	-	-	1801-23
314	-	-	-	-	-	1783-89							

V.—PROCESSES, WARRANTS OF DECREES, AND COURT PROCEEDINGS.

1	1721 *					6	1723-40	Decrets or Processes.
2	1713-41	Decrets or Processes.				7	1724	"
3	1722	"				8	1724-26	"
4	1722-23	"				9	1725	"
5	1723.	"				10	1726	"

* 1721 and preceding not burned by fire in Commissary Clerk's Office.

11 1726-28	Decreeets or Processes.	47 1757	Decreeets or Processes.
12 1727	"	48 1758	"
13 1728	"	49 1759	"
14 1729	"	50 1760	"
15 1729-31	"	51 1760-63	"
16 1730	"	52 1761	"
17 1731	"	53 1762	"
18 1732	"	54 1763	"
19 1732-45	"	55 1764	"
20 1733	"	56 1764-67	Unextracted Decreeets.
21 1734	"	57 1765	Decreeets or Processes.
22 1735	"	58 1766	"
23 1735-40	"	59 1767	"
24 1736	"	60 1767-70	"
25 1737	"	61 1768	"
26 1738	"	62 1769	"
27 1739	"	63 1770	"
28 1740	"	64 1770-71	Unextracted Decreeets.
29 1741	"	65 1771	Decreeets or Processes.
30 1742	"	66 1771-73	"
31 1742-49	"	67 1772	"
32 1743	"	68 1773	"
33 1744	"	69 1773-75	Unextracted Decreeets.
34 1745	"	70 1774	Decreeets or Processes.
35 1746	"	71 1775	"
36 1747	"	72 1775-78	Unextracted Decreeets.
37 1748	"	73 1776	Decreeets or Processes.
38 1749	"	74 1777 *	"
39 1750	"	75 1778	"
40 1750-58	Unextracted Decreeets.	76 1779	"
41 1751	Decreeets or Processes.	77 1779	"
42 1752	"	78 1779-81	Unextracted Decreeets.
43 1753	"	79 1780	Decreeets or Processes.
44 1754	"	80 1781	"
45 1755	"	81 1782	"
46 1756	"	82 1782-83	"

* See No. 115.

83	1783-87	Decrets or Processes.	100	1793	Decrets or Processes.
84	1784	"	101	1793	Unextracted Decrets.
85	1784	"	102	1794	Decrets or Processes.
86	1785	"	103	1795	"
87	1786-87	"	104	1795	Unextracted Decrets.
88	1787-88	"	105	1796	Decrets or Processes.
89	1788-89	Unextracted Decrets.	106	1796	Unextracted Decrets.
90	1789	Decrets or Processes.	107	1797	Decrets or Processes.
91	1790	"	108	1797	"
92	1790	Unextracted Decrets.	109	1798	"
93	1791	Decrets or Processes.	110	1798	Extracted Decrets.
94	1791	"	111	1799	Unextracted Decrets.
95	1792	"	112	1799	Extracted Decrets.
96	1792	"	113	1800	"
97	1792	"	114	1800	Unextracted Decrets.
98	1792	"	115	1777-92	Sundry Processes.
99	1792 *	"	116-161	1801-23	Extracted Decrets.

VI.—SLEEPING PROCESSES.

162	-	-	-	-	1753-66	167	-	-	-	-	1788-92
163	-	-	-	-	1766-70	168	-	-	-	-	1797-98
164	-	-	-	-	1769-76	169	Old and Sleeping Processes with- out dates.				
165	-	-	-	-	1779-85						
166	-	-	-	-	1786						

VII.—PROCESSES UNDER ADVOCATION.

170	-	-	-	-	-	-	-	-	-	-	1795-99
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VIII.—MANDATES.

171	-	-	-	-	-	-	-	-	-	-	1785-1824
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IX.—ADMISSIONS OF PROCURATORS.

172	-	-	-	-	-	-	-	-	-	-	1722 <i>et seq.</i>
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* See Bundle No. 115.

X.—CAVEATS.

173

XI.—MISCELLANEOUS OLD PROCEEDINGS.

174-180 Seven Bundles without dates. 182 Without date.

181 - - - about 1749 183 - - - 1811-23

XII.—PAPERS RELATING TO DISPUTES.

184 Between Henderson and Mitchell.

XIII.—PETITIONS.

185	-	-	-	-	1721-33	199	-	-	-	-	1787-88 *
186	-	-	-	-	1734-42	200	-	-	-	-	- 1789
187	-	-	-	-	1742-49	201	-	-	-	-	- 1790
188	-	-	-	-	1750-56	202	-	-	-	-	- 1791 *
189	-	-	-	-	1757-62	203	-	-	-	-	- 1792
190	-	-	-	-	1763-64	204	-	-	-	-	- 1793
191	-	-	-	-	1765-67	205	-	-	-	-	- 1794 *
192	-	-	-	-	1768-69	206	-	-	-	-	- 1795
193	-	-	-	-	- 1770	207	-	-	-	-	- 1796
194	-	-	-	-	1771-74	208	-	-	-	-	- 1797
195	-	-	-	-	1775-78	209	-	-	-	-	- 1798
196	-	-	-	-	1779-81	210	-	-	-	-	- 1799 *
197	-	-	-	-	- 1782	211	-	-	-	-	- 1800
198	-	-	-	-	1783-86	212-234	-	-	-	-	1801-23

XIV.—DIET BOOKS.

1† November 2, 1721, to April 2, 1723.

2 June 4, 1723, to November 3, 1726.

3 November 3, 1726, to May 1, 1731.

4 June 1, 1731, to January 16, 1735.

5 January 21, 1735, to June 21, 1737.

6 June 23, 1737, to June 26, 1740.

* Petitions for inventorying and rousing Defuncts' effects.

† Number in Commissary Clerk's Inventory of Books.

- | | |
|---|--|
| 7 July 1, 1740, to November 6, 1744. | 12 November 16, 1762, to November 16, 1769. |
| 8 November 1, 1744, to January 22, 1751. | 13 November 16, 1769, to January 28, 1779. |
| 9 January 24, 1751, to January 9, 1755. | 14 February 2, 1779, to June 14, 1790. |
| 10 January 9, 1755, to November 23, 1758. | 15 June 15, 1790, to January 15, 1795. |
| 11 November 28, 1758, to August 31, 1762. | 16 January 22, 1795, to October 5, 1801. |
| | 17-19 November 12, 1801, to December 24, 1823. |

**XV.—MINUTE BOOK OF CERTIFICATES OF PROCURATORS
TAKING THE OATHS.**

20 October 2, 1747, to May 19, 1748.

**XVI.—MEMORANDUM, OR MINUTE BOOK OF MANDATES
TO SUE OR DEFEND.**

21 November 12, 1785, to October 6, 1824.

XVII.—RECEIPT BOOKS.

- | | |
|--|--|
| 1 November 13, 1732, to July 13, 1785. | 3 February 22, 1805, to December 14, 1825. |
| 2 July 13, 1785, to February 19, 1805. | |

XVIII.—DECREET BOOKS.

- | | |
|-------------------------------------|---------------------------------------|
| 1 January 2, 1748, to May 13, 1783. | 2 May 16, 1783, to December 29, 1823. |
|-------------------------------------|---------------------------------------|

XIX.—MINUTE BOOK OF CONFIRMATIONS.

February 12, 1715, to December 30, 1823.

**XX.—DETAILED INVENT. OF REGISTERED DEEDS, PRO-
BATIVE WRITS, AND PROTESTS.**

XXI.—LIST OF JUDICIAL INVENTORIES.

No. II., and of Edicts, No. IV.

B.—PARTICULAR REGISTERS OF SASINES.

FOR THE SHIRE OF ABERDEEN.*

First Series.

- Vol. I. 21st December, 1599, to 31st May, 1602.
- II. 22nd April, 1602, to 28th July, 1603.
- III. 28th July, 1603, to 22nd December, 1604.
- IV. 30th December, 1604, to 3rd June, 1606.
- V. 4th June, 1606, to 15th April, 1607.
- VI. 16th April, 1607, to 3rd February, 1608.
- VII. 8th March, 1608, to 31st December, 1608.
- VIII. 10th January, 1609, to 24th January, 1609.

Second Series.

- Vol. I. 1st August, 1617, to 24th June, 1619.
- II. 3rd July, 1619, to 20th October, 1620.
- III. 6th November, 1620, to 26th December, 1622.
- IV. 26th December, 1622, to 28th March, 1625.
- V. 28th March, 1625, to 15th October, 1627.
- VI. 15th October, 1627, to 8th January, 1630.
- VII. 8th January, 1630, to 24th July, 1632.
- VIII. 24th July, 1632, to 8th April, 1634.
- IX. 8th April, 1634, to 27th January, 1636.
- X. 30th January, 1636, to 8th February, 1638.
- XI. 8th March, 1638, to 6th January, 1641.
- XII. 22nd January, 1641, to 11th January, 1644.
- XIII. 17th January, 1644, to 30th November, 1648.
- XIV. 5th April, 1649, to 10th December, 1650.
- XV. 10th December, 1650, to 29th June, 1653.
- XVI. 31st May, 1653, to 15th November, 1653.
- XVII. 15th November, 1653, to 2nd June, 1655.
- XVIII. 5th June, 1655, to 11th October, 1656.
- XIX. 11th October, 1656, to 19th January, 1658.
- XX. 19th January, 1658, to 18th June, 1659.
- XXI. 18th June, 1659, to 12th November, 1660.

* Sasines on town properties held feu, not burgage, are recorded in this Register.

FOR THE SHIRES OF ABERDEEN AND KINCARDINE.*

Third Series.

- Vol. I. 1st January, 1661, to 15th December, 1662.
- II. 1st January, 1663, to 25th April, 1664.
- III. 1st April, 1664, to 31st August, 1665.
- IV. 23rd September, 1665, to 19th April, 1667.
- V. 19th April, 1667, to 1st September, 1668.
- VI. 1st September, 1668, to 31st March, 1670.
- VII. 2nd May, 1670, to 15th July, 1672.
- VIII. 15th July, 1672, to 17th April, 1675.
- IX. 17th April, 1675, to 21st November, 1677.
- X. 19th December, 1677, to 29th January, 1681.
- XI. 26th February, 1681, to 8th May, 1684.
- XII. 23rd May, 1684, to 8th November, 1687.
- XIII. 15th November, 1687, to 22nd April, 1691.
- XIV. 8th May, 1691, to 10th September, 1694.
- XV. 28th September, 1694, to 24th November, 1697.
- XVI. 6th December, 1697, to 28th August, 1700.
- XVII. 10th September, 1700, to 11th May, 1704.
- XVIII. 13th May, 1704, to 4th June, 1709.
- XIX. 8th July, 1709, 7th September, 1712.
- XX. 1st December, 1712, to 2nd December, 1718.
- XXI. 12th December, 1718, to 1st February, 1725.
- XXII. 4th February, 1725, to 27th May, 1732.
- XXIII. 2nd June, 1732, to 5th May, 1738.
- XXIV. 8th May, 1738, to 2nd September, 1743.
- XXV. 22nd September, 1743, to 13th November, 1750.
- XXVI. 14th November, 1750, to 12th April, 1758.
- XXVII. 19th April, 1758, to 14th June, 1765.
- XXVIII. 14th June, 1765, to 12th July, 1775.
- XXIX. 22nd July, 1775, to 15th April, 1782.
- XXX. 15th April, 1782, to 19th December, 1786.
- XXXI. 19th December, 1786, to 1st March, 1792.
- XXXII. 22nd March, 1792, to 24th December, 1795.
- XXXIII. 25th December, 1795, to 6th August, 1800.
- XXXIV.-CCCLXXI. 6th August, 1800, to 6th February, 1869.

* From 2nd January, 1600, to 1st January, 1661, the Register for Kincardineshire was kept separately.

Fourth Series.

I.-DLXXIII. 7th February, 1869, to 2nd April, 1889.

PROTOCOL BOOKS HAVING REFERENCE TO
ABERDEEN.

- Vol. III. 10th December, 1518, to 11th January, 1551. Sir John Cristison, Aberdeen and Kincardine.
- IX. 8th March, 1538, to 1st February, 1562. Robert Lumsdane, Aberdeen.
- XII. 5th March, 1545, to 27th March, 1579. James Nicolson, Peebles, Aberdeen, etc.
- XV. 1st August, 1552, to 24th February, 1573. Gilbert Grote, Aberdeen, etc.
- XXIX. 6th November, 1570, to 17th February, 1581. Arch. Millar, Aberdeen, etc.
- XXX. 30th December, 1570, to 19th September, 1590. Alexander Lawson, Aberdeen, etc.
- XXXVIII. 30th July, 1580, to 15th December, 1597. John Robeson, Aberdeen.
- LII. 26th January, 1590, to 25th November, 1602. Alexander Lawson, Aberdeen, etc.
- LXVI. 15th May, 1600, to 8th January, 1601. Robert Skene, Aberdeen.
- LXXV. 31st October, 1633, to 27th August, 1668. Alexander Forbes, Aberdeen.
- LXXVI. 18th August, 1636, to 4th July, 1653. Alexander Sandesone, Aberdeen.
- LXXXI. 20th March, 1649, to 4th April, 1664. John Sandilands, Aberdeen.
- LXXXIII. 27th October, 1649, to 22nd June, 1660. James Swan, Aberdeen.
- LXXXVII. 30th December, 1653, to 28th October, 1664. James Petrie, Aberdeen, etc.
- LXXXVIII. 23rd May, 1661, to 21st March, 1666. Alexander Stewart, Aberdeen, etc.
- XCIII. 9th December, 1661, to 4th June, 1677. William Smith, Aberdeen.
- XCIV. 3rd January, 1662, to 31st March, 1665. William Leslie, Aberdeen.
- C. 31st August, 1663. Thomas Urquhart, Aberdeen—one entry only.
- CI. 3rd November, 1663, to 17th September, 1668. Patrick Hay, Aberdeen, etc.
- CII. — December, 1663, to 15th June, 1670. Robert Andersone, Aberdeen.
- CIII. 24th March, 1664, to 26th June, 1676. James Cuthbert, Aberdeen.

KKK

C.—REGISTER OF BAPTISMS, MARRIAGES, AND BURIALS.

PARISH OF ST NICHOLAS.

BAPTISMS—

- Vol. I. Legitimate births, 7th December, 1563, to 10th March, 1591.*
 Illegitimate births, 1st October, 1573. to 5th March, 1591.†
 II. 1st September, 1602, to 3rd February, 1631.‡
 III. 12th February, 1631, to 21st January, 1647.
 IV. 5th December, 1647, to 14th December, 1672.
 V. 24th December, 1672, to 8th January, 1688.§
 VI. 11th May, 1688, to 18th December, 1704.
 VII. 16th December, 1704, to 26th December, 1734.||
 VIII. 2nd January, 1735, to 25th August, 1771.¶
 IX. 25th August, 1771, to 30th September, 1798.**
 X. 1st October, 1798, to 29th November, 1810.††
 XI. 2nd December, 1810, to date.‡‡

* Only five entries prior to 1571. Duplicate of portion, 15th September, 1573, to 3rd September, 1579.

† Duplicate of portion, 4th October, 1573, to 28th February, 1579.

‡ Blank 8th February, 1625, to 5th April, 1628.

§ After Record for 8th January, 1688, there are 7 pp. of entries, 20th November, 1687, to 29th March, 1698, endorsed "Double of Popish Baptisms, 1698".

|| At end there are 6 pp. of entries, 1st September, 1717, to 31st March, 1731, omitted to be recorded in their proper places.

¶ At end is an appendix of 10 pp. containing entries, 23rd September, 1748, to 28th June, 1771.

Prefix to this volume is a leaf containing 17 entries, 12th March, 1769, to 4th November, 1772. Following 31st January, 1784, is an appendix of 27 pp., 16th October, 1758, to 8th September, 1783. Register very irregular about 1797-98, after which is another appendix of 20 pp., 6th May, 1767, to 23rd September, 1798.

†† Prefix to this volume is an appendix of 8 pp., 5th July, 1776, to 13th September, 1798; and at end is another of 25 pp., 6th June, 1757, to 3rd October, 1810.

‡‡ At end of Vol. XI. is an appendix of 88 pp., 1st January, 1774, to 24th October, 1824.

MARRIAGES—

- I. 17th June, 1568, to 27th April, 1686.*
- II. 3rd June, 1695, to 30th December, 1776.
- III. 24th January, 1776, to 6th August, 1803.†
- IV.- 3rd January, 1804, to date.

BURIALS in *St. Nicholas Church and Churchyard*—

- I. 7th July, 1560, to 25th April, 1687.‡
- II. 1st September, 1793, to 26th February, 1820.
- III.- 12th January, 1820, to date.

BURIALS in *St. Clement's Churchyard*—

- I. 1st May, 1789, to 29th December, 1819; Old Ground, 3rd to 24th January, 1820.
- II.- 11th January, 1820, to date.

PARISH OF OLD MACHAR.

BAPTISMS—

- I. 27th November, 1641, to 26th May, 1699.
- II. 21st June, 1699, to 26th September, 1721.
- III. 1st October, 1721, to 16th October, 1763.
- IV. 10th October, 1763, to 2nd December, 1797.
- V. 3rd December, 1797, to 31st December, 1819.
- VI.- 1st January, 1820, to date.§

* After 1579 there occurs an abstract of the entries in the previous Record from 25th March, 1574, and this abstract form of entry is continued till 1592, from which date there is a blank till August, 1603. Blank also from February, 1621, to September, 1623, November, 1624, to April, 1628, and April, 1686, to June, 1695.

† Separate Record of Marriages celebrated by ministers not belonging to Church of Scotland, 10th October, 1788, to 13th December, 1830, including also, after 1805, those celebrated by ministers of the Established Church not residing in the parish of St. Nicholas.

‡ Only four entries prior to 1573.* After 1579 there is a draft of the previous Record from 1573, which is continued to March, 1591; then there is a blank till September, 1602. Blank also December, 1622, to September, 1660, and April, 1687, to September, 1793.

In the Kirk and Bridge Work Accounts (*supra*, p. 417), down to 1792-93 inclusive, a list of the burials in St. Nicholas Kirkyard is included in the annual statement. See New Spalding Club *Miscellany*.

§ An appendix, apparently commenced about 1806, gives entries not made at the proper time, dates ranging from 1776 to 1854.

* One of them an historical entry relating to murder of Henry, Lord Darnley.

MARRIAGES—

- I. 4th March, 1621, to 26th October, 1636, and 30th December, 1638, to 25th November, 1721.
- II. 16th January, 1722, to 28th February, 1731, and 28th April, 1744, to 1st June, 1783.
- III. 1st June, 1783, to 25th December, 1819.
- IV.- 1st January, 1820, to date.

BURIALS—

- I. 25th August, 1642, to 30th September, 1671, and 1st March, 1673, to 20th May, 1766.
- II. 6th August, 1766, to 30th December, 1819.
- III.- 1st January, 1820, to date.

IV.—MISCELLANEOUS RECORDS.

Records of the Cathedral Church of Aberdeen; from 1062 [?] See *Registrum Episcopatus Aberdonensis*. Spalding Club, 1845.

Records of the Kirk Session, Presbytery, and Synod of Aberdeen; from 1562. See *Selections from Ecclesiastical Records of Aberdeen*. Spald. Club, 1846. Also the New Spalding Club *Miscellany*, Vol. I.

Records of the Red, Gray, Black, and White Friars of Aberdeen; from 1211. To be printed by the New Spald. Club.

Records of University and King's College; from 1494. See *Fasti Aberdonenses*. Spald. Club, 1854.

Records of Marischal College and University; from 1593. See *Fasti Academiae Mariscallanae*. New Spald. Club, 1889.

Records of the Grammar School; from 1700.

Records of the Incorporated Trades of Aberdeen; from 1587. See Bain's *Merchant and Craft Guilds*. Aberd.: 1887.

Records of the Society of Advocates in Aberdeen; from 1685.

Records of the Medico-chirurgical Society of Aberdeen; from 1789.

Records of the Aberdeen Mason Lodge; from 1670.

Records of the Aberdeen Shipmasters' Society; from 1600.

Records of the Aberdeen Gardeners' Society; from 1714.

Records of the Aberdeen Musical Society; from 1748.

Records of the Town Council of Old Aberdeen; from 1634.

Records of the Incorporated Trades of Old Aberdeen; from 1608.

Records of the Merchant Society of Old Aberdeen; from 1686.



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